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THE EXTENT OF LONG-TERM TAX DELINQUENCY IN CERTAIN OKLAHOMA COUNTIES

by

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The Occasional Papers of the Southern Forest Experiment Station present information on current southern forestry problems under investigation at the Station. In some cases these contributions were first presented as addresses to a limited group of people, and as "occasional papers" they can reach a much wider audience. In other cases, they are summaries of investigations prepared especially to give a report of the progress made in a particular field of research. In any case, the statements herein contained should be considered subject to correction or modification as further data are obtained.

CONTENTS

	Page
Introduction	1
Purpose of study	1
Scope of study	2
Law and practice in respect to tax delinquency	2
Summary of laws governing tax-delinquency procedure	2
Local variations in tax delinquency procedure	4
Long-term delinquency in sample counties—extent and trends	6
General considerations	6
Latimer County	7
Adair County	11
Creek County	16
Beaver County	22
Tillman County	28
Jackson County	28
Love County	33
Carter County	38
Summary and analysis of findings	39
Recommendations	41

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INTRODUCTION

Purpose of study

Contrary to the requirements of the Fulmer Act (Public No. 395 - 74th Congress)1/, tax-forfeited lands under present Oklahoma law pass to the county, and no provision is made for blocking such lands into State forests. Hence this State will not be eligible for participation in Fulmer Act funds after 1942, nor can it be given preference in the grant of such funds prior to 1942.2/ In view of this situation, the Division of Forestry of the Oklahoma Planning and Resources Board requested the assistance of the United States Forest Service in drafting suggestions for amending the present State code in order to bring it into line with the requirements set forth in the Federal Act. Since such amendment would necessitate certain major alterations in the present administrative procedure in respect to tax-delinquent lands, it was believed both by the Oklahoma Planning and Resources Board and by the Forest Service that the proposed changes could be explained and justified more readily by presenting to the Legislature, Planning Board, and other interested agencies, current factual data on the extent, location, and tax history of chronically tax-delinquent lands in certain representative counties of the State. Also since the problem of chronic tax delinquency is State-wide, and since there are probably more acres of submarginal grazing land than of submarginal forest land in the State, it was evident that the problem of disposing of chronically delinquent forest land could not be solved apart from the consideration of the treatment of delinquent land of all types. Hence studies were made during 1938 in counties in all parts of the State except the central prairies (fig. 1); in this region delinquency is at a minimum.

1/ Briefly, the Act authorizes the Federal government to acquire, by purchase or otherwise, tax-forfeited or other lands suitable for public forests and to turn back the said lands to the State in which they lie for use as State forests, the State to reimburse the Federal government out of the proceeds derived from use and development of the areas. Section 2(a) of the Act provides, among other requirements, that no State shall be eligible after June 30, 1942, for participation in the Federal grants authorized in this Act unless it has, by that date, provisions in its statutes: (1) for vesting tax title in fee in the State or a political unit thereof, and (2) for "blocking into State....forests the areas which are more suitable for public than for private ownership, and which, in the public interest, should be devoted primarily to the production of timber crops and/or the maintenance of forests for watershed protection."

2/ Congress has not yet implemented the Fulmer Act by an appropriation setting up the special fund authorized in the Act.

Scope of study

The counties in which complete data were obtained were: (1) Adair, in the upland hardwood region of the Ozark Plateau; (2) Beaver, in the grazing region of the Panhandle; (3) Creek, in the Eastern Cross Timbers; (4) Jackson, in the Rolling Prairie of the southwestern grazing area; (5) Latimer, in the shortleaf pine-hardwood region of the Kiamichi Plateau; and (6) Love, in the Southern Cross Timbers of the Red River Valley. Partial data were obtained in Carter County, just north of Love, and in Tillman County, southeast of Jackson.

In the first six counties, data were obtained from the tax rolls and "Sale records"3/ on the location, area, assessed value, and delinquency history (a) of each tract that was already owned in fee by the county through purchase at resale, and (b) of each tract that was eligible for resale for delinquent taxes. These tracts, together with Federally- and State-owned lands, were platted on township plats. Data were also obtained on the trends in assessed value of all property in the county (realty, personalty, and corporation property) for the period covered by the study of delinquency—for the past decade, if data were available.

In Carter and Tillman Counties only partial data (based on average delinquency of each county as a whole) were obtained, since the time and funds available did not permit a more detailed study.

LAW AND PRACTICE IN RESPECT TO TAX DELINQUENCY

Summary of laws governing tax-delinquency procedure

Rural real estate is assessed by the county assessor,4/ theoretically at 100 percent of full value, as of Jan. 1. Taxes, which are levied by the county,5/ become due in November of the assessing year for the first (half) installment and in April of the following year for the second installment. First installments on taxes become delinquent (i.e., subject to 12 percent penalty) in January of the year following assessment (or 60 days after tax rolls are filed with the county treasurer), and the second installment becomes delinquent on June 15, if the first installment has been paid. If the taxes are not paid before the first Monday of November of the year following assessment, the property is subject to "sale" (hereinafter referred to as the "tax sale"), the county treasurer issuing a tax certificate. Lands not bid in by private purchasers (who must bid at least the total amount of taxes, penalty, and costs due and accrued) are "bid in" by the county. The tax certificate is merely a lien against the property, and does not convey the right of use or possession. If the land is not redeemed by the original owner (or by those claiming under or through him) by April of the third year following the original tax sale, the land is subject to "resale" (so referred to hereafter in this report). If no private person will bid the total amount of taxes, penalties, and costs due, the land may be "bought in" by the county,

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3/ The county's list of lands "bid in" by the county at each annual (or periodic) tax sale, showing description, area, amount of taxes due, and status as to redemption. See next section of this report for discussion of law and procedure.

4/ Public utilities are assessed by the State Tax Commissioner.

5/ Okalahoma levies no State tax on property.

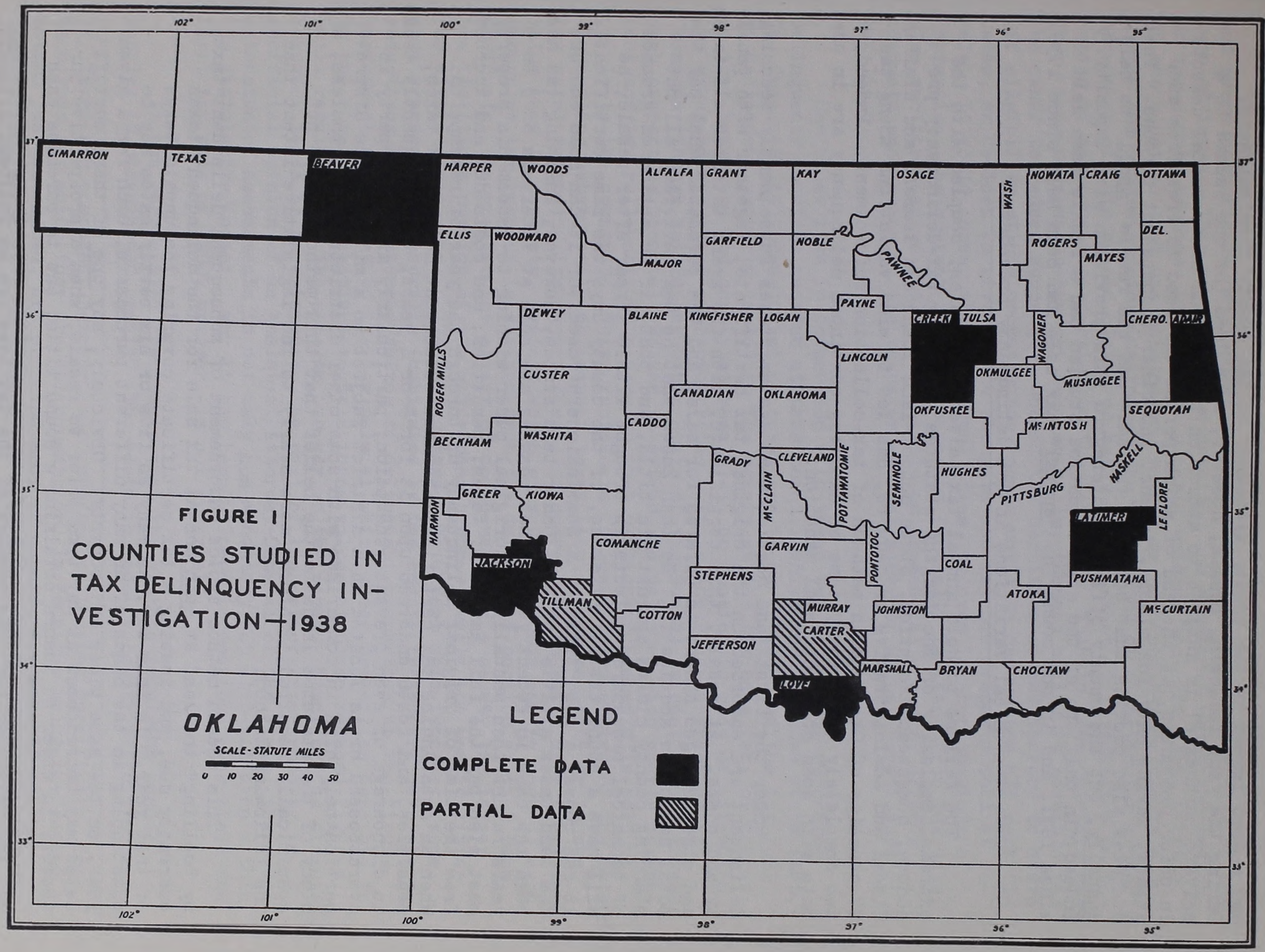

FIGURE 1

COUNTIES STUDIED IN TAX DELINQUENCY INVESTIGATION—1938

and a deed issued by the county treasurer to the county commissioners. During the year following resale, however, such deed (or one issued to a private purchaser) is subject to attack on the grounds of technical defects in prior procedure, at the end of which period the deed is free from such attack, saving only for minors, insane, and other incompetent persons. The statutes also provide that both the tax sale and the resale "shall" be held annually, but the county officials disregard this provision with impunity.6/ Indeed, in only one of the eight counties studied had a resale been held since 1931, and in one county no "annual" tax sale had been held since 1930.

Local variations in tax-delinquency procedure

The failure to hold annual tax sales and resales, coupled with the extreme complexity of the lengthy statutes governing tax-delinquency procedure, homestead exemption, State school-land loans and leases, and similar fiscal and administrative procedures, has led to wide variations among the 77 counties of Oklahoma in methods of tax-collection enforcement. Indeed, two completely opposite systems of handling continued delinquency are in use, both with some apparent legal sanction.

Under the first (and most common) system, taxes subsequently becoming delinquent are endorsed on the original tax certificate, together with penalty and costs. At resale, this certificate, with the grand total of all taxes and other charges shown, is offered for sale, and the purchaser must pay the total amount to acquire it. He then knows that he has satisfied all outstanding county claims against his title, and that, if no action on grounds of technical procedural defects is brought within 1 year after resale, he will have a sound title. Likewise, if the county buys the same certificate, it can convey a good title by a Commissioners' deed, or it can hold and use the land under a title in fee. Under this system, however, assuming (as has been the case in recent years) that resales are held at intervals of 3 to 6 years rather than annually, an original owner wishing to redeem his property must also pay the full amount of taxes, penalties, and costs due and accrued from the time of original delinquency up through the year of redemption. When an outstanding tax certificate has had subsequent delinquent taxes, penalties, and costs endorsed upon it for 3 or 4 years, this frequently tends to discourage or even prevent redemption, particularly if the property is overassessed or is located in a district subject to a millage rate disproportionately high in comparison with some other districts. Nevertheless, a study of the statutes leads to the belief that this method, while not specifically required, conforms more nearly to the legislative intent than the following method.

This second method avoids endorsement of subsequent delinquent taxes by "selling" the land at each annual tax sale for the delinquent taxes currently due, and issuing a tax certificate covering the unpaid taxes of that year. In this way, as many as five or six certificates may be outstanding in the hands of as many different purchasers, each for a given year, on the same piece of property. Obviously, any one of these certificates may be redeemed at any time prior to resale, when a prospective purchaser, in order to insure obtaining a sound title, has to purchase each

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6/ The citations for this summary of the tax laws are as follows: Art. 25, ss. 12705-12713, Chap. 66, Okla. Code 1931, as amended by Chap. 104, Acts of 1933; and Art. 28, ss. 12719-12778, Chap. 66, Okla. Code 1931, as amended by Acts of 1933 and 1935.

and every certificate outstanding against the property, irrespective of the year of issue. This may involve a detailed and sometimes worthless search of the county records, since it is clearly evident that the local records of the counties that use this second method do not lend themselves to a simple and accurate determination of the tax status of a particular property. Advocates of this method claim, probably justly, that it facilitates restoration of delinquent properties to the tax roll. This is true chiefly, however, because resales are not held annually, thereby making it possible for the owner to redeem successive annual tax certificates and thereby to stave off eligibility of his property for resale until he can redeem all certificates, or decides to give up the struggle and let his property sell at resale. It would appear that in normal times, or even in short periods of depression, the present redemption period (actually $2\frac{1}{2}$ years from tax sale, plus another year to attack a tax title on procedural grounds) affords adequate protection to the taxpayer against hasty or unjust foreclosure of tax liens.

One other item in connection with these two methods of recording delinquency requires mention at this point. While the statutes state (Art. 28, Chap. 66, 1931 Code) that no taxes are to be extended on the tax roll on delinquent property "sold" to the county at the tax sale (or, of course, on that bought by the county at resale),7/ no mention is made of extending the assessed values of such properties. It is the general practice in Oklahoma (though not in any other State of the South) to continue to assess such properties biennially8/ and to extend the value on each year's assessment and tax roll until such time as that particular property is sold at resale to the county.9/ This practice is followed irrespective of the method of handling subsequently delinquent taxes (i.e., "endorsement" or "annual tax sale" method). Its major effect, of course, is to build up a fictitious value base in a county, against which warrants or bonds can be issued, even though no tax revenue is derived from the delinquent portion of that base. Obviously, the greater the extent of delinquency in a county the larger the fictitious portion of the value base becomes, while the possibilities for ultimate financial collapse increase. To offset this tendency, some county assessors (generally instigated by the county treasurer) make sharp reductions in the assessed values of delinquent properties at the first assessment subsequent to the tax sale at which these properties were bid in by the county, and continue to hold these values at these reduced figures until resale solves the problem one way or the other. Study of the statutes, however, leads to an opinion on the part of the writer, confirmed by an unofficial opinion of an Assistant Attorney-General of the State, that such extension of assessments is not only non-mandatory but also not even within the legislative intent. Why it has been allowed to continue ever since the first tax sale of 1909, however, is not apparent.

It has been stated previously that the statute requiring annual resales is disregarded openly. The claim is made by county officials that

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7/ Taxes are computed, however, and endorsed on the tax certificate, for each year for which they are delinquent; or, in counties using the second method just described, are computed and, if unpaid, are entered on the certificate, which is then offered for sale at the "annual" tax sale.
8/ Rural real estate is assessed biennially, rather than annually.
9/ If sold to a private person, the property is restored to the tax roll as soon as a deed is issued, when it becomes subject to taxation.

the high cost of holding a legal resale (chiefly, the costs of preparing the list of lands, with their areas and the taxes, penalties, and costs due, and of advertising the same once a week for 4 weeks) results in a net loss to the county treasury, since the revenue from the relatively few sales of land to private purchasers does not cover the total costs of sale over and above the amount of delinquent taxes due. Inasmuch, however, as no county (so far as the writer could ascertain) has attempted in recent years to hold annual resales, it is quite likely that this opinion is based on the costs of the resales (triennial up to septennial) with which the county officials are now familiar.10/

The preparation and advertising of such lengthy lists, with the exhaustive check of the records required, is undoubtedly expensive. Furthermore, irrespective of whether there be outstanding but one tax certificate with endorsed taxes for several years, or four or five annual certificates, the accumulated taxes, penalties, and costs are increasingly greater the longer the period between tax sale and resale. This in turn tends to "raise the price" of the property above what it would be if there were due only the taxes, penalties, and costs (including taxes of current year) for the 3 years since the original delinquency. This latter factor may account in large measure for the failure of private purchasers to bid for otherwise desirable properties, particularly in those counties where chronic delinquency is greatest and where, in general, assessments or rates are higher than in counties suffering less from nonpayment of taxes. Where chronic delinquency is the result of the submarginal character of the land, or the removal or deterioration of a major resource, these criteria probably do not apply.

LONG-TERM DELINQUENCY IN SAMPLE COUNTIES — EXTENT AND TRENDS

General considerations

Inasmuch as this study was made in the summer of 1938, only those tracts which were eligible for resale in 1938 (or, in two counties—Creek and Love—which would be eligible in April 1939) and those which had already been bought in by the counties at prior resales were included in the study. Stated another way, those tracts delinquent for the taxes of 1934 and "bid in" by the county in November 1935 (in two counties, those delinquent for 1935 taxes and "bid in" in 1936) were the most recently delinquent tracts to be studied. All delinquencies for years prior to 1934, back to the year in which the most recent resale was held (generally 1931), were also included, together with all properties which had forfeited to the counties at any resale since Oklahoma acquired statehood (1907) and which were, as of 1938, still in county title.

The relative extent of long-term delinquency among the counties can be measured neither by the area in county title nor by the delinquent area derived from any tax sale, since irregularities and coincidences of resales and tax sales among the counties govern the actual tax status, e.g., as between land forfeited to county title and merely delinquent for 1934 taxes.

10/ In this connection, however, see: Allen, H. K. Forfeiture of real property rights through tax delinquency. Jour. Land and Public Utility Economics 14 (4): 382-387. Nov. 1938.

Hence the clearest comparison among counties in respect to over-all delinquency is the "total area involved in long-term delinquency." As used in this report, this area includes: (1) all land forfeited to, and now in, county title for nonpayment of taxes; (2) all land eligible for resale as of 1938 (1939 in two counties); and (3) all land which would have been eligible for resale save for technical errors in advertising the same.

Latimer County

Latimer County lies in the shortleaf pine-hardwood region, near the northwestern edge of the Kiamichi Plateau, in southeast Oklahoma (fig. 1). A small isolated area of the Eastern Prairies lies on the west-central border of the county. The topography is characterized by the wide valley of Fourche Maline, running east and west through the center of the county, and by the successive high ridges of the Kiamichi Mountains to the south and of the Sanbois Mountains to the north. Elevations above sea level range from less than 700 feet, where Fourche Maline crosses the eastern boundary, to about 1,850 feet, on the crest of Buffalo Mountain near the southern boundary. The southern half of the county is somewhat isolated by the parallel ranges of hills and by lack of all-weather roads. A Federal highway and a through line of the Chicago, Rock Island, and Pacific Railroad traverse the Fourche Maline valley, in which the towns of Red Oak, Wilburton (county seat), and Gowen are located.

The gross area of the county is 470,400 acres, and its 1930 population was 11,184 persons, or 15 per square mile. Approximately 80 percent of the county is forest land, the chief species being shortleaf pine, hickory, and red, black, and post oaks. All the old-growth timber has been cut out, and even the remaining second growth has been heavily culled for mine timbers and by small portable mills for low-grade lumber. In 1934, only 78,119 acres were in cultivation, while 57,000 acres were in farm woodlands.11/

An important feature of Latimer County's tax base is that, in 1937, corporation property (chiefly the C.R.I. & P. and M-K-T. Railroads) formed 49 percent of the total base, while all other real estate formed only 43 percent and all other personalty formed 8 percent. Data in table 1 indicate that since 1928 real estate has been declining as a factor in the tax base, while corporation property has been increasing. The total tax base (total assessed value) of the county has declined by 43 percent in this same period (table 1). Part of this decline, however, was caused by a State-wide reduction of 20 percent in all values in 1932, ordered by the State Board of Equalization. Inasmuch as only two resales (1930 and 1936) have been held during this 9-year period, it is evident that the decline in real-estate value is not attributable chiefly to removal from the tax base of the lands bought by the county. The value, as of 1929, of lands sold to the county at the April 1930 resale (and still off the tax roll) accounted for less than 4 percent of the total decline in real-estate value between 1929 and 1935, while the value, as of 1935, of the lands sold to the county in April 1936 accounted for only 25 percent of the decline in real-estate value between 1935 and 1937. The much higher percentage figure for the 1936 resale is attributable: (1) to the much greater delinquent area still unsold

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11/ U. S. Bureau of the Census. Census of Agriculture: 1935. Washington. 1937.

from the recent resale, and (2) to the shorter period of reference (2 years rather than 6 years) of the decline in total values. Chief factors in this decline in assessments are, of course, the decline in "true" values during the depression, and the removal of much of the value of two major resources—coal and timber.

Table 1.- Changes in assessed values, 1928-1937, Latimer County, Oklahoma[1/]

Assessment year	Real estate		Personal property		Corporation property		Total	
	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total
	Dollars		Dollars		Dollars		Dollars	
1928	2/	-	2/	-	2,443,674	30	6,165,944	100
1929	3,064,708	-	546,257	-	3/	-	3/	-
1932	4/	-	4/	-	4/	-	4,463,031	100
1935	1,961,403	53	541,982	15	1,230,592	32	3,733,977	100
1937	1,504,748	43	273,233	8	1,725,127	49	3,503,108	100

1/ Data from county assessment rolls unless otherwise indicated.
2/ Data are from Report of State Auditor for fiscal year ending June 30, 1928. The breakdown between real and personal property is not available. Total real and personal value is $3,727,270, or 70 percent of the total tax base.
3/ The county records of assessment of corporation property and of total value are missing.
4/ Only total value is available. Data are from U. S. Bureau of the Census. Realty tax delinquency. Vol. 1. Current tax delinquency by States and counties, Levies of 1932-1933. Washington. 1934.

Latimer County is the only one among the eight studied which has held a resale since 1931. This county has held resales in 1919, 1922, 1924, 1925, 1926, 1930, and 1936. No tax sales were held in 1936 or 1937, and hence no properties would be eligible for resale in 1938 or 1939. Data on currently delinquent properties not yet eligible for resale were not obtained in this study, but in table 2 are presented data on the area and assessed value of rural properties in county title as of May 1938, which were bought by the county at the resales of 1936, 1930, and 1926 or earlier years. Assessed values shown for the 1936 and 1930 resales are as of 1935 and 1929, respectively, but the assessment of the properties acquired in 1926 or earlier years are not available in the county records. The values shown under "Total" are the sum of the 1935 and 1929 values and, of course, are exclusive of the values of the tracts bought in 1926.

Analysis of the data in table 2 indicates a close relationship between topography (as a factor of land use and accessibility) and delinquency. Buffalo and Salonia Townships, which together contain nearly half the forfeited area of the county, are the two most mountainous and isolated townships of the county. On the other hand, Gowen and Cravens Townships, which together contain less than 10 percent of the forfeited area of the

county, are the most level, populous, and accessible townships, lying in the Fourche Maline Valley along U. S. Highway 270 and the C.R.I. & P. Railroad.

Table 2.- Area and assessed value of land in county title through purchase at resales, as of May 1938, Latimer County, Oklahoma[1/]

Civil townships	Year of resale: 1936 Area	1936 Value 1935	1930 Area	1930 Value 1929	1926 or prior Area	1926 or prior Value[2/]	Total Area	Total Value[3/]	Ratio of township totals to grand totals: Area	Ratio of township totals to grand totals: Value[3/]
	Acres	$	Acres	$	Acres	$	Acres	$	---Percent---	
Buffalo	11,485	23,754	2,084	9,732	588	-	14,157	33,486	22.5	21.5
Damon	9,068	18,970	1,540	5,770	427	-	11,035	24,740	17.5	15.9
Gowen	704	4,459	298	2,242	152	-	1,154	6,701	1.8	4.3
Cravens	3,729	13,584	690	2,980	680	-	5,099	16,564	8.1	10.6
Salonia	9,650	23,058	2,490	9,600	920	-	13,060	32,658	20.7	21.0
Degnan	7,335	15,048	1,010	5,365	960	-	9,305	20,413	14.8	13.1
Red Oak	6,608	16,632	1,119	4,550	1,493	-	9,220	21,182	14.6	13.6
Total	48,579	115,505	9,231	40,239	5,220	-	63,030	155,744	100.0	100.0
Percent of total area	77		15		8		100		-	

1/ Data from county tax rolls and "Sale records."
2/ No data available on assessed value of these properties.
3/ Exclusive of assessed values of properties acquired in 1926 or prior years. These totals, of course, represent merely the numerical sums of values assessed in 1929 and 1935, rather than assessed values as of any one year.

More than three-fourths of the total forfeited area now in county ownership was acquired in 1936, while 15 percent was bought in 1930, and only 8 percent in 1926 or earlier. This relationship exists, of course, because the county has disposed, through Commissioners' sales of much of the property acquired at the earlier resales. Data were not obtained on the total area or value actually bought by the county at any resale, but merely on that portion of such acquisition remaining in county title in May 1938.

The 63,030 acres now owned in fee by the county represent 13 percent of the 470,400 acres comprising the gross area of the county, or 15 percent of the otherwise taxable area (423,600 acres). The tax-exempt area of the county includes the following:

Unappropriated Federal public domain	5,020 acres
State-owned lands (parks)	6,450 acres
Exempt Indian allotments (estimated)	35,000 acres
Other constitutionally exempt lands	330 acres
Total	46,800 acres

Thus approximately 109,800 acres (23 percent of the county's area) are now off the tax-roll.

In table 3 the 63,030 acres now owned by Latimer County are classified by year of original delinquency, that is, the first year for which taxes were unpaid. For example, properties on which taxes for 1932 were not paid (but on which all previous taxes had been paid), and which were "bid in" at the 1933 tax sale and bought by the county at the 1936 resale, are classified under "1932."

Table 3.- Tax delinquency, by year of original delinquency of lands in county title, May 1938, Latimer County, Oklahoma[1/]

Year of original delinquency[2/]	Area in acres	Percent of total
1919 or earlier	185	0.3
1920	560	0.9
1921	1,773	2.8
1922	299	0.5
1923	1,865	3.0
1924	870	1.4
1925	1,984	3.1
1926	1,695	2.7
1927	5,951	9.4
1928	10,298	16.3
1929	12,707	20.2
1930	6,636	10.5
1931	8,716	13.8
1932	4,271	6.8
Unknown[3/] (1922 or earlier)	5,220	8.3
Total	63,030	100.0

1/ Data from county tax rolls for 1935 and 1929, and from "Sale records."
2/ The first year for which the taxes were unpaid; on almost all tracts, delinquency has since been continuous.
3/ Derived from resales of 1926 or earlier years.

It is evident from these data that delinquency of a long-term nature has arisen in Latimer County considerably before the beginning of the recent general depression. Only 31 percent of the forfeited area was derived from delinquencies originating from 1930 to 1932 inclusive; the preceeding three-year period (1927-1929), coincident with the peak of national prosperity, accounted for 46 percent of the total; and the remaining 23 percent was derived from still earlier delinquencies.

While no detailed study of the causes of delinquency was included in this investigation, the data which have been presented for Latimer County, along with observation of conditions there, permit at least a broad estimate of the primary causes. It is estimated by the county officials that 90 to 92 percent of the forfeited area is "wild, mountain land, chiefly suitable for timber"—in other words, forest land. The removal of the last large volume of currently merchantable timber and the exhaustion of profitably exploitable coal veins—two developments which coincided in the period 1926-1930—undoubtedly were major factors in causing the forfeiture of much of the mountain area of the county. Moreover, since one of the chief markets for local timber was the coal mines, the latter's decline accentuated the difficulty of disposing of second-growth timber, generally of low grade, which could not compete in outside markets with better timber from other regions.

It is the opinion of many of the leading citizens of the county seat, including some of the county officials, that public ownership for forestry purposes of the forfeited mountain lands is the only economically sound solution of the problem of their delinquency. The writer shares this viewpoint.

Adair County

Adair County lies in the upland hardwood region of the Boston Mountains, on the westward extension of the Ozark Plateau in northeast Oklahoma (fig. 1). The topography is hilly to mountainous, except in the northeastern fourth of the county, where it is level to rolling. Elevations range from 1,000 to 1,800 feet above sea level. The principal species on the forest land, which comprises about 62 percent of the county area, are red, white, post, black, and blackjack oaks, hickory, elm, gum, black walnut, and shortleaf pine. The harvesting and manufacture of minor forest products is the chief industry, ties, handles, and cooperage being the principal products. Stilwell, the county-seat, is the largest tie-exporting station on the Kansas City Southern Railroad between Kansas City and Port Arthur, Texas.

The southern and western parts of the county have the roughest topography and are rather poorly equipped with roads except for U. S. Highway #59 and State Highway #51. The northern half of the county is well supplied with Federal highways, and is served by both the K.C.S. and Frisco Railroads.

The gross area of the county is 373,760 acres, and its 1930 population was 14,756, or 25 persons per square mile. About 35 percent of the population is Indian, chiefly Cherokees. In 1934, only 67,118 acres were in cultivation, while farm woodlands were found on 82,687 acres.12/

This county, originally part of the Cherokee Nation, has suffered from the weird ownership pattern evolved by the Dawes Commission (1905-06), which allotted lands to the Cherokees prior to the establishment of State government over all of what is now the State of Oklahoma.13/ A discussion

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12/ U. S. Bureau of the Census. Census of Agriculture: 1935. Washington. 1937.

13/ Oklahoma was admitted to the Union in 1907. Prior to the adoption of a State constitution, it consisted of Indian Territory (approximately the eastern fourth) and Oklahoma Territory (the remainder of the State).

of the history of these allotments is not within the scope of this report, but it is important to know the results. Briefly, the Dawes Commission allotted to each "full- or three-quarter-blood" Cherokee $325 worth of land at the value per acre appraised by the Commission, including a homestead. The acreage represented by the difference between the appraised value of the homestead and the $325 total was allotted in 10-acre tracts scattered wherever unallotted acreage could be found, quite irrespective of quality of land or contiguity of ownership. Involved regulations dealing with the alienation of title of these allotments were imposed, and are still in effect.14/ As a result, throughout Adair and ajoining counties of the old Cherokee Nation there are thousands of 10-acre tracts with extremely scrambled ownership and tax status. About 33,500 acres of allotted land is still tax-exempt, while the net rural taxable area of the county is 338,800 acres.

As in Latimer County, corporation property now makes up the largest single item of the tax base in Adair County. In 1937, corporation property (almost exclusively the property of the two railroad companies) comprised 46 percent, real estate 42 percent, and personalty 12 percent of the total assessed value (table 4). Also as in Latimer County, real estate during the last decade has declined in importance as a factor in the tax base, while corporation property has increased. In 1928, corporation property formed less than 40 percent of the total value. An unusual feature of the assessment trends in Adair County from 1934 to 1937, is the increase, both in absolute amount and in relative percentage of the tax base, in the value of personal property. Urban property (real and personal), however, declined both in absolute amount and in relative percentage of the tax base (from 15.0 percent in 1934 to 12.8 percent in 1937). The total assessed value of the county declined nearly $2,000,000 (41 percent) during the past decade, presumably as a result of (1) decline in actual value, as reflected in lowered assessments on all property, and (2) the practice of making sharp reductions in the assessments of delinquent land bid in by the county tax sales (see page 5).

Data are also presented in table 4 on the assessed values of each civil township. In this connection it should be noted that the towns of Westville (pop. 691), Watts (pop. 353), and Stilwell (pop.1,366) which lie in Westville, Ballard, and Stilwell Townships, respectively, increase the assessed values of surrounding rural property in these townships.

There is no land in Adair County in county title through forfeiture for taxes. A courthouse fire in 1929 destroyed all existing records, and all land then in county ownership was sold by commissioners' deed to one speculator. Incidentally, every acre of it is again eligible for resale. No resales have been held since the fire, but a tax sale was held in November 1935, which acted as a cumulative sale of delinquent taxes of 1929 to 1934 inclusive. Property bid in by the county at that tax sale was technically eligible for resale in April 1938, but as no resale has been held it can be offered again in 1939. Since no tax sale has been held since 1935, no other

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14/ Much of the history of this movement was supplied the writer by John H. Leeper, Abstractor and life-long resident of Adair County, who served as advisor to the Commission. See also: Beckett, A. L. Know your Oklahoma. Harlow Publishing Co., Oklahoma City. 183 pp. 36 tables. 1930.

lands were eligible for resale as of the date of this study.[15] In this county, owing to the presence of delinquent undivided fractional interests in certain real estate, the county holds tax liens on fractional interests in a few properties, as well as full interest in many more.

Table 4.- Changes in assessed values, 1928 - 1937, Adair County, Oklahoma[1]

Civil township or town	1934			1937		
	Real estate	Personalty	Total	Real estate	Personalty	Total
Civil townships	- - - - - - - - - - - - - - - - - - Dollars - - - - - - - - - - - - - - - - - -					
Ballard	159,144	22,709	181,853	129,804	18,539	148,343
Chance	119,490	14,273	133,763	108,078	18,474	126,552
Westville	188,905	27,347	216,252	137,974	33,846	171,820
Baron	127,710	23,332	151,042	99,023	28,772	127,795
Wauhillau	112,815	21,132	133,947	77,551	28,672	106,223
Christie	97,375	17,751	115,126	81,956	23,877	105,833
Stilwell	162,830	22,661	185,491	115,686	22,702	138,388
Bunch	122,495	29,573	152,068	97,115	35,462	132,577
Lees Creek	82,735	11,586	94,321	87,050	12,449	99,499
Total rural	1,173,499	190,364	1,363,863	934,237	222,793	1,157,030
Towns						
Westville	144,670	49,686	194,356	85,602	30,210	115,812
Watts	34,856	9,675	44,531	22,293	6,919	29,212
Stilwell	192,360	80,693	273,053	134,638	81,981	216.619
Total urban	371,886	140,054	511,940	242,533	119,110	361,643
Total	1,545,385	330,418	1,875,803	1,176,770	341,903	1,518,673
All corporation property in county	-	-	1,534,948.	-	-	1,299,613
Grand total	-	-	3,410,751	-	-	2,818,286

	1928	1932
Real and personal	$2,883,173	Unknown
Corporation	1,878,865	"
Total	4,762,038	$3,492,302

1/ Data for 1934 and 1937 from county assessment rolls; for 1928 from Report of State Auditor for fiscal year ending June 30, 1928. Total assessed value for 1932 from U. S. Bureau of the Census. Realty Tax Delinquency. Vol. I. Current Tax Delinquency by States and Counties; Levies of 1932-1933. Washington. 1934.

15/ No land can be offered at resale unless a valid tax certificate on that particular tract has been outstanding for at least $2\frac{1}{2}$ years.

As of May 1938, there was eligible for resale a total of 99,241 acres on which the county's tax lien covered full interest, and in addition the county held liens covering fractional undivided interests in a gross area of 1,563 acres, the weighted-average interest being approximately 58 percent, equivalent to full interest on 908 acres (table 5). The total area (actual full-interest area plus equivalent full-interest areas) eligible for resale was 100,149 acres, or 27 percent of the total area of the county. The total delinquent area is 29 percent of the net taxable rural area (338,800 acres). Approximately 133,600 acres are off the tax roll, either through delinquency or by statutory exemption, an area equivalent to 36 percent of the gross area of the county!

As in Latimer County, and also as found in a previous study in Washington County, Arkansas 16/, which adjoins Adair County on the east, a close relationship is shown in Adair County between topography (as a factor in land use and accessibility) and degree of delinquency. The civil townships with the largest percent of their area delinquent are, in order, Lee's Creek, Christie, Chance, and Bunch, each of which had 30 percent or more of its area delinquent (table 5). These are the roughest, most sparsely settled, and most inaccessible townships of the county. The townships with the least delinquency—Westville and Ballard, each with less than 18 percent of its area delinquent—consist largely of level to rolling prairie and contain the towns of Westville and Watts, respectively.

As of 1934 (last assessment prior to tax sale), the assessed value of the 99,241 acres on which the county holds full interest liens was $210,463. The delinquent fractional interests were assessed for $1,380, to bring the total assessment of delinquent properties to $211,843, or 18 percent of the assessed value of all rural real estate (table 5). These data indicate, as might be expected, that the lower-value properties are more involved in delinquency, since the percentage of value delinquent is only two-thirds of the percentage of area delinquent (18 and 27 percent, respectively). While slight changes are noted in the order of townships by degree of value delinquency as compared with their order by area delinquency, the four townships which have the greatest percent of their area delinquent also have the greatest percent of their value delinquent.

Data on trend in delinquency are available in this county only from 1929 to the last year of assessment prior to tax sale (1934). The trend shown is somewhat similar to that in Latimer County (table 3), but the different lengths of time covered by the two tables prevent an accurate comparative analysis. The sharp decline in area arising from delinquencies of 1933 and 1934, as compared with that derived from earlier years, is difficult to explain without a more detailed study than the present investigation warranted. It might be expected (as has been found in delinquency studies in other States 17/) that the portion of present delinquent area derived from nonpayment of taxes due in years immediately preceding the time of study would be greater than the portion derived from unpaid taxes of earlier years, since the latter taxes

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16/ Craig, Ronald B., and Orville J. Hall. Tax delinquency of forest land in Arkansas. Ark. Agric. Exp. Sta. Bull. 340. Fayetteville, 1937.

17/ Cf. bulletin cited above, and Craig, Ronald B. Taxation of Forest Land in the Yazoo Delta of Mississippi, Occasional Paper #74, Southern Forest Exp. Sta. New Orleans, 1938. Similar trends have been shown in unpublished studies of tax delinquency in Louisiana and Florida.

Table 5.- Area and assessed value of land eligible for resale as of April 1938, Adair County, Oklahoma 1/

County holds lien on fractional undivided interest

Civil township		Partial interest on gross area shown 2/	Equivalent full-interest area 3/		Assessed value of interest only, 1934	
		- - - - Acres - - -			Dollars	
Ballard		0	0		0	
Chance		0	0		0	
Westville		0	0		0	
Baron		0	0		0	
Wauhillau		143	47		120	
Christie		40	32		55	
Stilwell		0	0		0	
Bunch		680	340		560	
Lee's Creek		700	489		645	
County		1,563	908		1,380	

County holds lien on full interest

	(1)	(2)	(3)	(4)	(5)	(6)
Civil township	Gross area of township	Delinquent rural area 1938	Ratio of delinquent to total area	Assessed value - 1934 - all rural real estate	Assessed value - 1934 - area shown in col.(2)	Ratio of delinquency to total value
	- - - -Acres - - - -		Percent	- - - Dollars- - - - -		Percent
Ballard	30,269	5,400	17.8	159,144	21,395	13.4
Chance	46,080	14,013	30.4	119,490	27,490	23.0
Westville	29,340	3,598	12.3	188,905	13,135	6.9
Baron	39,245	7,129	18.2	127,710	19,795	15.5
Wauhillau	41,600	9,866	23.7	112,815	25,370	22.5
Christie	40,320	12,992	32.2	97,375	22,767	23.4
Stilwell	25,442	4,963	19.5	162,830	20,350	12.5
Bunch	60,160	17,826	29.6	122,495	29,320	23.9
Lee's Creek	61,304	23,453	38.3	82,735	30,841	37.3
County	373,760	99,241	26.6	1,173,499	210,463	18.0
Grand total	373,760	4/ 100,804	26.8	1,173,499	211,843	18.1

1/ Data from county tax rolls and "Sale records."
2/ County holds varying fractional interests (1/2, 1/3, 1/5, etc.) on gross area shown in this column.
3/ Areas shown represent product of fractional interest and gross area, weighted.
4/ Equivalent to full interest on 100,149 acres (99,241 acres plus 908 acres).

(or the lands on which they were levied) have been subject to redemption or sale for a longer period than those recently delinquent. This trend, however, is not followed in either Latimer or Adair Counties. A possible explanation may be the proscription of tax sales in 1933 by Executive Order of the Governor, and the legislative abatements of penalties and extensions of redemption period in 1933-34. Also there is a possibility that most of the "submarginal" areas were already delinquent before 1933, and that improved agricultural conditions operated to prevent wholesale delinquency on the better lands after that date. Value data are not presented in table 6, since assessed values were obtained only for 1934 on all tracts, not as of the date of last assessment prior to original delinquency of each separate tract.

Table 6.- Tax delinquency by year of original delinquency, as of May 1938, Adair County, Oklahoma[1/]

Year of original delinquency	Area[2/]	Percent of total
	Acres	Percent
1929	36,977	37
1930	16,296	16
1931	10,644	11
1932	27,238	27
1933	6,684	6
1934	2,955	3
Unknown	10	3/
Total	100,804	100

1/ Data from county tax rolls and "Sale records."
2/ Including tracts on which county lien covers only fractional interest, given here by gross area of tracts in which interest lies.
3/ Less than 0.5 percent.

Creek County

Creek County lies in the Eastern Cross Timbers region of Oklahoma, south of the Arkansas and Cimarron Rivers (fig. 1). The topography is gently rolling to hilly, the elevations ranging from 700 to 1,200 feet above sea level. Extensive areas of upland prairie are separated by large, irregular areas of forest composed largely of scrub hickory and post, blackjack, and southern red oaks. About 27 percent of the county is forest land. Oil and gas production is a major industry, but agriculture is important.

The gross area of the county is 616,680 acres, and its 1930 population was 64,115, or 67 persons per square mile. Creek County contains six incorporated cities or towns with a total population in 1930 of 25,545, or 40 percent of the total population. In 1934 there were 157,842 acres in cultivation, while only 26,000 acres were in farm woodlands.[18/]

18/ U. S. Bureau of the Census. Census of Agriculture: 1935. Washington. 1937.

As its name implies, this county lies in the old Creek Nation, and the Indian allotments, with a few exceptions along the Cimarron River, were in quarter-sections. Hence a more usual type of area-ownership pattern is found than in Adair County.

In Creek County, real estate has consistently formed the largest percentage of the total tax base, although in 1937 it comprised only 1 percent more than corporation property (table 7). Both real estate and corporation property have formed a decreasing percentage of the tax base since 1935, while personalty has formed an increasing percentage.

Table 7.- Changes in assessed values,[1] 1928 - 1937, Creek County, Oklahoma

Assessment year	Real estate		Personal property		Corporation property		Total	
	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total
	Dollars		Dollars		Dollars		Dollars	
1928	[2]	-	[2]	-	12,668,426	27	45,958,534	100
[3]1935	10,785,154	43	3,902,737	15	10,633,392	42	25,321,283	100
[3]1936	11,724,033	43	4,512,141	17	10,780,420	40	27,016,594	100
[3]1937	11,459,010	40	6,012,660	21	11,085,595	39	28,647,265	100

[1] The total assessed value as of 1932 was $31,865,030, according to U. S. Bureau of the Census. Realty Tax Delinquency. Vol. 1. Current Tax Delinquency by States and Counties, Levies of 1932-1933. Washington, 1935.
[2] Data from Report of State Auditor for fiscal year ending June 30, 1928. The breakdown between realty and personalty is not available. Total was $33,290,108, or 73 percent of total value.
[3] Data from county assessment rolls.

While the total tax base has declined 38 percent ($17,311,269) since 1928, there has been an increase since 1935 of 13 percent ($3,325,982), but note should be taken of the State-wide reduction of 20 percent in values ordered in 1932 by the State Board of Equalization. All items have shown an increase over this 2-year period, but real estate declined slightly (both in amount and in percentage of total) from 1936 to 1937. A surprising feature of the trend in values is the 54 percent increase in value of personal property since 1935, possibly accounted for by a recent expansion in the oil and gas industries in the established fields in Creek County.

Creek County has not held a resale since 1930, previous resales having been held in 1928, 1927, 1926, 1924, and 1922. A tax sale was held in November 1936, when all properties on which taxes were delinquent (including all those delinquent since 1931, plus those unearthed by a "tax ferret" and going back to 1911) were offered for "sale." Properties bid in by the county at that tax sale, and as yet unredeemed, will be eligible for resale in April 1939. They are treated in this report exactly as are those properties which were eligible for resale in April 1938.

The tax status of rural land in this county is complicated not only by lack of recent resales and by the widespread exemption of lands allotted to Indians, but even more by the extremely complex vesting of title in fractional undivided interests in oil and gas lands, leases, and royalties, secured by mortgage or other liens, and in other rights, surface and subsurface. On one tract of 16-2/3 acres there are 2,814 undivided interests! Since, in many cases, the taxes on some of these undivided interests are delinquent and on others are paid, the county tax liens, as represented by outstanding tax certificates, are frequently representative of only fractional interests in any one tract or series of tracts. In addition, the county has title in fee, acquired at resales of 1930 or earlier years, to full interest in certain tracts and to partial interest in other properties. Still further complicating the picture of extent of delinquency in Creek County is a printer's error in the advertising of delinquent tracts for the 1936 tax sale, whereby some 7,000 acres in one township were omitted from the published list, thereby preventing their being offered for sale, even though they were delinquent and otherwise subject to sale.

Creek County holds title in fee to full interest on 5,577 acres, and holds fee title to undivided fractional interests in an additional area of 490 acres (table 8). The fractional interests held are approximately equivalent to full interest on 240 acres, to bring the area in county ownership, acquired at resale, to 5,817 acres. This area is equal to less than 1 percent of the gross area of the county and to slightly more than 1 percent of the net area taxable in 1937 (518,003 acres). Euchee Township, which has the largest area of county-owned land, is in the central part of the county, and is chiefly characterized by poor soils covered with scrub oak; while the other two townships having large areas in county ownership (Tiger and Mannford) are on the northern edge of the county and are among those in which the oil and gas industry is particularly active.

The area eligible for resale in April 1939, on which the county lien covers full interest, is 153,119 acres (table 9). In addition the county holds unredeemed tax liens on fractional undivided interests in an additional area of 15,658 acres. The fractional interests held are approximately equivalent to full interest on 6,480 acres, to bring the area eligible for resale to 159,599 acres. This area is equal to 26 percent of the gross area of the county and to 31 percent of the net area taxable in 1937.

All parts of the county are rather seriously involved in delinquency, but Newby, Euchee, Kelleyville, Mounds, and Mannford Townships have the largest areas eligible for resale. With the exception of Mannford, all these townships lie in the central part of the county, and are not particularly developed for gas and oil.

In addition to the areas in county ownership (table 8) and those eligible for resale (table 9), in a portion of Bristow Township there are 7,256 acres which are delinquent in fact, but which, through error, were omitted from the legal notice of the 1936 tax sale and hence are not eligible for resale.

The total area involved in some type of long-term delinquency, therefore, is 172,673 acres, an area equivalent to 28 percent of the gross area, and 33 percent of the net taxable area, of Creek County. Again, excluding the 7,256 acres in Bristow Township which, through error, are still subject to

taxation (even though the taxes presumably are unpaid), it is evident that 264,089 acres (98,673 acres tax-exempt, plus 5,817 acres county-owned, plus 159,599 acres eligible for resale) or their equivalent (in fractional interests) are off the tax roll—an area equal to 43 percent of the gross area of the county!

Table 8.- Area and assessed value of land in county title, as of June 1, 1938, Creek County, Oklahoma[1/]

County owns full interest in fee

Civil townships	1930 resale		1928 or earlier resales		Totals	
	Area	Assessed value 1929	Area	Assessed value 1927	Area	Assessed value
	Acres	Dollars	Acres	Dollars	Acres	Dollars
Sapulpa	288	9,775	0	0	288	9,775
Olive	60	730	0	0	60	730
Hazlip	440	5,850	0	0	440	5,850
Creek	260	4,170	0	0	260	4,170
Tiger	549	12,725	0	0	549	12,725
Mannford	542	8,536	2	2/45	544	8,581
Mounds	106	2,960	40	600	146	3,560
Newby	400	8,000	0	0	400	8,000
Kellyville	399	5,985	0	0	399	5,985
Euchee	660	11,300	45	900	705	12,200
Bristow	456	7,812	0	0	456	7,812
Depew	460	14,200	0	0	460	14,200
Lakeside	240	4,700	0	0	240	4,700
Sunnyslope	356	5,515	13	190	369	5,705
Shannon	221	3,640	40	400	261	4,040
County	5,437	105,948	140	2,135	5,577	108,083

County owns fractional interest only

Sapulpa	120	1,500	0	0	120	1,500
Hazlip	40	200	0	0	40	200
Kellyville	170	1,275	0	0	170	1,275
Euchee	120	1,500	0	0	120	1,500
Depew	40	200	0	0	40	200
County	3/490	4/4,675	0	0	3/490	4/4,675

1/ Data from "Sale records" and tax rolls. These lands were acquired at resales of 1930, 1928, and 1927.
2/ Assessed value as of 1926.
3/ Gross area of tracts in which fractional interest lies.
4/ Assessed value of fractional interest only.

Table 9.- Area and assessed value of land eligible for resale in April 1939, Creek County, Oklahoma[1/]

Civil townships	County's lien covers full interest		County's lien covers fractional interest[2/]	
	Area	Assessed value - 1935	Area[3/]	Assessed value[4/] - 1935
	Acres	Dollars	Acres	Dollars
Sapulpa	7,002	100,448	1,375	5,895
Olive	7,016	65,356	920	4,006
Hazlip	8,055	63,466	721	2,573
Creek	6,842	55,797	1,265	4,125
Tiger	11,815	125,793	1,829	7,409
Mannford	13,439	139,166	515	3,060
Mounds	13,473	139,495	1,590	5,355
Newby	18,549	186,306	870	3,840
Kellyville	15,805	143,685	1,240	4,453
Euchee	18,007	161,406	640	3,380
Bristow	4,125	47,165	220	1,230
Depew	7,524	70,161	1,430	4,866
Lakeside	7,167	76,330	930	5,161
Sunnyslope	5,559	56,767	800	4,671
Shannon	8,741	85,605	1,313	4,200
County	153,119	1,516,946	15,658	64,224

1/ Data from "Sale records" and tax rolls. These lands were "bid in" by county at the 1936 tax sale.
2/ On these properties, the county's tax lien covers varying fractional undivided interests only.
3/ Gross area of properties in which fractional interests lie.
4/ Assessed value of fractional undivided interests only.

In terms of assessed values as of 1 year prior to the resales at which the property was forfeited to the county, the area in county title, including full interests and fractional interests, was worth $112,758 (table 8). That eligible for resale, again including both full and fractional interests, was assessed in 1935 (1 year prior to tax sale) at $1,581,170 (table 9). Data are not available on the assessment of the 7,256 acres in Bristow Township. Based on the average assessed value per acre in 1935 of other delinquent lands in this township ($11.43), they would be worth about $83,000. Hence the grand total of assessed values (irrespective of year of assessment) of all lands thus involved in delinquency is about $1,777,000. This total is 7 percent of the total 1935 tax base of the county, and more than 16 percent of the total assessed real-estate values.

The trend in delinquency in Creek County is slightly different from that in Latimer and Adair Counties. As shown in table 10, nearly 76 percent of the present outstanding delinquency has arisen since 1929; the peak year was 1930, closely followed by 1932 and 1935. Furthermore, while the general trend since 1930 has been downward, that trend is much more irregular than in the first two counties discussed. Evidently the effect of the depression

has been more definitely reflected in tax delinquency in Creek than in Latimer and Adair Counties. In view of the chief industry of the county—oil and gas production—the depression, coupled with the fiscal history of the county, explains the trend in, and probably the cause of, the delinquency noted.

Table 10.- Tax delinquency, by year of original delinquency, as of May 1938, Creek County, Oklahoma[1/]

Year of original delinquency	Area	Percent of total	Tax status
	Acres		
1911,1912, 1913,1919	641	0.4	54.5 acres in county title. Balance eligible for resale.
1921	2	2/	In county title.
1922	138	0.1	
1923	10	2/	
1924	40	2/	
1925	2,899	1.7	
1926	3,206	1.8	2,859 acres in county title. Balance eligible for resale.
1927	2,724	1.6	Eligible for resale in 1939.
1928	13,288	7.6	
1929	19,127	10.9	
1930	31,161	17.8	
1931	21,887	12.5	
1932	28,212	16.1	
1933	13,015	7.5	
1934	14,896	8.5	
1935	23,475	13.4	
Unknown	123	0.1	63 acres in county title; 60 acres eligible for resale.
Total	174,844	100.0	

1/ All land now in county title for unpaid taxes, or eligible for resale in 1939, is classified by year of original delinquency. This includes gross areas of properties on which county now holds title or lien on fractional interest.
2/ Less than 0.05 percent.

Different causes operate in the delinquency of Creek County land than in that of the first two counties studied. A major cause (if not the primary one) is the speculative development in oil and gas lands, leases, and fractional interests—a recurring series of booms and deflations. As the inevitable concomitant of such booms, local governments—the county, townships, municipalities, and even school districts—floated large bond issues on inflated realty values, and when the boom burst were left with the incubus of a heavy debt, requiring debt-service taxes which, in some of the subdivisions of

Creek County, are definitely confiscatory. Indeed, millage rates in certain incorporated towns in this county reach astounding heights, while assessed values throughout the county are more an index of revenue needs than of true values. In the town of Slick (sic!), the total rate levied in 1937-1938 against every dollar of taxable value was 503.38 mills. Even in the surrounding rural area outside the town limits, the rate was 332.70 mills. Since the average assessed value of rural land in this same area is $8.96 per acre, the average annual tax was $2.98 per acre! The greater part of this plainly confiscatory levy is for debt service. The bonded debt of the town of Slick is 280 percent of its total assessed value. The average tax per acre on all rural land in the county is 50 cents per acre. Small wonder than 28 percent of the gross area of the county is involved in delinquency!

While much of the delinquency in the southern part of the county is on forest land, only about 35 percent of the total delinquent area in the entire county is of this type. Most forest areas involved in delinquency are covered with the scrub stand of blackjack oak typical of this portion of the Eastern Cross Timbers. Annual burning, together with poor sandy soil, has prevented the growth of the more valuable post and southern red oaks.

Beaver County

Beaver County, the easternmost county of the Oklahoma Panhandle, lies in the High Plains (fig. 1), but the topography is more rolling than in the High Plains to the west, since the eastern edge of the county lies on the "breaks," where the High Plains break down sharply to the Rolling Prairies. The Cimarron and North Canadian Rivers have cut deep valleys in the plain, which are marked, particularly in the case of the latter stream, by sandhills on the northern banks. Elevations range from 1,800 to 3,700 feet above sea level. The county is practically treeless, except along the streams, where cottonwood and willow are the chief species. Less than 1 percent of the county, therefore, is forest land. Cattle raising and wheat farming are the principal activities, although various sorghums are assuming importance as farm crops. The western part of the county particularly (and to a less extent, the eastern part) has suffered from the severe dust storms of 1932 to 1935.

The gross area of the county is 1,160,320 acres, and its 1930 population was 11,452, or 6 persons per square mile. Beaver, Forgan, and Elmwood are the only incorporated towns, all except Beaver (pop. 1,500) being less than 1,000 population. Railroad facilities are extremely limited; the one railroad that enters the county runs from the east border as far west as Forgan, or only half way across the county. Ninety-three percent of the county was in farms in 1934, and 547,025 acres were in cultivation.19/

Beaver County has maintained a relatively stable tax base, subsequent to the state-wide uniform reduction in values ordered in 1932 by the State Board of Equalization (table 11). The sharp decline from 1932 to 1933, however, reflects the effect of the wheat-crop failure and livestock losses of 1932 on farm real estate and livestock values. The decline from 1937 to 1938 likewise reflects a distressed agriculture, as indicated by the extent of State School-Land Commission foreclosures, as explained hereafter. As in all

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19/ U. S. Bureau of the Census. Census of Agriculture: 1935. Washington. 1937.

counties so far discussed, corporation property forms an increasingly important element of the tax base, having advanced from 5 percent of the total value in 1928 to 28 percent a decade later. Real estate has declined in the past 8 years from 81 percent of the tax base to 66 percent, although it remained at approximately 70 percent from 1931 through 1937. The total tax base has declined 43 percent ($7,219,910) from the 1931 peak, but only 9 percent since 1933.

Table 11.- Changes in assessed values, 1928 - 1938, Beaver County, Oklahoma[1]/

Year	Real estate		Personalty		Corporation		Total
	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount
	Dollars		Dollars		Dollars		Dollars
1928	2/	-	2/	-	2/ 695,943	5	2/ 15,093,933
1930	12,710,546	81	2,071,779	13	899,977	6	15,682,302
1931	11,856,025	70	1,595,127	9	3,369,982	21	16,821,134
1932	9,415,040	71	1,045,008	8	2,721,451	21	13,181,499
1933	7,484,289	71	615,433	6	2,442,835	23	10,542,557
1934	7,484,289	71	577,957	5	2,451,148	24	10,513,394
1935	7,476,508	71	597,549	6	2,442,607	23	10,516,664
1936	7,476,508	70	743,192	7	2,399,509	23	10,619,209
1937	7,425,578	70	749,878	6	2,574,997	24	10,750,453
1938	6,379,991	66	603,508	6	2,617,725	28	9,601,224

1/ Data from county assessment rolls, except for 1928.
2/ Data from Report of State Auditor for fiscal year ending June 30, 1928. Total real and personal property valuation is $14,397,990, or 95 percent of the total value.

Beaver County has held no resale since April 1931; the last preceding resale was in 1927. Tax sales were held (since last resale) annually through 1935, but none was held in 1936 or 1937, owing to technical procedural defects occasioned by legislative extensions of delinquency dates. In this, as in all the other counties discussed thus far, delinquent taxes accruing on tracts on which tax certificates are already outstanding in the hands of the county are endorsed on these certificates, together with accrued penalties and costs. Hence all properties bid in by the county at the tax sales of 1931 to 1935 inclusive, and unredeemed, were technically eligible for resale in April 1938, but since no resale was held, they can be offered again in 1939. Beaver County already has title to six tracts of 40 acres each (240 acres) acquired at the 1931 resale and not yet sold by the County Commissioners.

Another factor of importance in several counties, but particularly acute in the Panhandle (of which Beaver is a representative county) is the extent to which the State has acquired title to rural lands through foreclosure of loans or leases made by the School-Land Commission. Originally, two sections (16 and 36) out of each survey township were set aside as State School-Land, the Commission being allowed to lease, but not sell, these sections. In 1934, however, the law was amended to permit sale of school lands,

provided all proceeds from sale or lease were segregated in the School-Land Commission Fund. The Commission can, from this fund, make loans (with privilege of purchase) to farmers, secured by a first mortgage on the farm. It can also exchange State school-lands in sections 16 and 36 for land in other sections, and, as heretofore, can lease school-lands. Failure of the mortgagee or lessee to keep up his payments results, of course, in foreclosure and in revesting of title in the State. In Beaver County, the State now holds fee title (tax exempt, of course) to 41,694 acres, or nearly 4 percent of the gross area of the county, all of which is in the hands of the School-Land Commission either because it has never been sold or leased, or because the State has foreclosed a mortgage or lease. Furthermore, since such property (or the lease) becomes taxable when sold or leased, foreclosure by the State of either type of instrument, when delinquent taxes have accrued on the property, results in a loss to the county of all such taxes, penalties, and costs, for the State at present makes no reimbursement to the county. The county, under present law, is estopped from enforcing collection from the State, since the sovereign cannot be taxed by one of its subdivisions. Inasmuch as failure to meet interest or lease payments is almost certain to be concomitant with failure to meet tax payments, foreclosure by the State in almost every case causes considerable loss to the county. When such foreclosure reaches the extent it has in Beaver County, the loss of tax revenue becomes an important factor in local financial stability.

Also exempt from taxation are 1,400 acres of unappropriated Federal public domain, and 1,188 acres[20/] of constitutionally exempt land. Hence the total area exempt from taxation (Federal, State, and county land, and other constitutionally exempt land) is 44,282 acres.

As of October 1938, there were 111,494 acres in Beaver County eligible for resale (table 12). This area, which is equivalent to nearly 10 percent of the gross area of the county, is segregated in the table by year of tax sale, since, as previously noted, there are no duplications of sales of the same tract and each sale represented tracts not previously bid in by the county. This does not imply, however, that none of these tracts was previously involved in delinquency between 1931 and 1935. In fact many of them, particularly those shown for the 1934 and 1935 sales, had been delinquent earlier in this 5-year period, had been redeemed, and had again become delinquent. The extent of this redelinquency will be discussed later. The same decrease in delinquency since 1931 is to be noted here that was found in the other counties. As in Creek County, however, there was an increase from 1934 to 1935, but it was not sufficient to bring the 1935 total up to that for 1933 or earlier years.

Geographically, the bulk of the delinquency is concentrated (with the exception of that in Kokomo Township) in the south-central and southeastern parts of the county. That in Kokomo Township lies mostly in the wide belt of sand hills along the north side of a great bend in the North Canadian River, and in the rough arroyos coming into the valley from the South. The concentration of the bulk of the remaining delinquency in the eastern part of the county may appear contradictory to the statement previously made that this part of the county had suffered much less severely from dust storms than the western half. While the latter statement is true, as any observer can determine even by casual inspection, the increased delinquency in the

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20/ Including 240 acres in county title through purchase at resale of 1931.

Table 12.- Area and assessed value of land eligible for resale in April 1939, classified by year of tax sale, Beaver County, Oklahoma[1/]

Civil townships	1935		1934		1933		1932		1931		Total	
	Area	Value 1934	Area	Value 1933	Area	Value 1932	Area	Value 1931	Area	Value 1930	Area	Value[2/]
	Acres	Dollars	Acres	Dollars	Acres	Dollars	Acres	Dollars	Acres	Dollars	Acres	Dollars
Grand Valley	800	4,987	680	3,776	960	6,636	1,640	15,865	1,440	13,665	5,520	44,929
Nabisco	960	5,335	1,120	10,008	448	5,260	1,680	20,300	1,102	15,160	5,310	56,063
Balko	1,196	8,815	640	4,831	2,360	24,868	1,440	18,180	2,281	31,340	7,917	88,034
Kokomo	1,680	9,750	2,880	16,535	3,881	31,720	3,478	30,875	2,240	20,120	14,159	109,000
Floris	880	7,980	622	4,116	2,280	22,696	3,440	44,980	960	13,120	8,182	92,892
Elmwood	2,240	13,305	1,360	7,115	1,240	12,096	3,315	32,505	5,877	58,720	14,032	123,741
Beaver	1,440	9,615	1,440	11,695	2,173	20,196	2,320	24,005	3,520	43,700	10,893	109,211
Logan	1,080	8,015	1,200	7,026	1,040	9,204	2,760	28,675	3,200	31,660	9,280	84,580
Benton	3,000	14,825	1,840	8,604	1,440	9,800	2,201	19,860	4,247	38,060	12,728	91,149
Knowles	1,800	8,805	480	1,877	960	9,444	880	8,890	560	7,550	4,680	36,566
Blue Grass	2,880	21,622	1,000	8,254	2,375	20,612	2,744	24,440	1,812	17,420	10,811	92,348
Gate	327	2,375	80	444	906	7,052	1,040	4/10,900	2,670	25,030	5,023	4/45,801
Garland	795	3,660	1,211	3,792	280	3/424	534	5/ 490	99	500	6/2,959	7/ 8,866
County	19,078	119,089	14,553	88,073	20,343	3/180,008	27,472	8/279,965	30,008	316,045	111,494	9/983,180

1/ Data from county tax rolls and "Sale records," as of October 1938.
2/ Sum of values, for different years shown.
3/ Value data missing on 200 acres.
4/ Value data missing on 160 acres.
5/ Value data missing on 480 acres.
6/ Includes 40 acres, value unknown, delinquent since 1927 but not sold in 1931 resale.
7/ Value data missing on 720 acres.
8/ Value data missing on 640 acres.
9/ Value data missing on 880 acres.

eastern half of the county, according to local authorities, is occasioned by the much lower productivity of the soil in the rougher breaks that characterize this part of the county. Certainly from the topographic standpoint (as reflected in the character of the terrain) the eastern, and particularly the southeastern, part of the county is much less suitable for either wheat farming or stock raising than the wind-blown soils of the "Dust Bowl" to the west.

The total assessed value (irrespective of year of assessment, and less the value of 880 acres for which assessment data are lacking) of the 111,494 acres eligible for resale is $983,180 (table 12). This total is equivalent to 9 percent of the total 1935 tax base, or 13 percent of the total value of real estate in that year. Its ratios to the total tax base and real estate base of 1938 are 10 percent and 15 percent, respectively.

The extent to which the 111,494 acres eligible for resale reflect "original delinquency" is shown in table 13. The properties whose areas and assessed values are shown in this table had been involved in but the one tax sale at which each was bid in by the county. Nothing is known or implied, however, as to their delinquency history prior to the 1931 resale. It is assumed that all tracts then (1931) eligible for resale were sold at that resale. For this reason, all tracts bid in at the 1931 tax sale for delinquent 1930 taxes are here considered as in the "original delinquency" category. Obviously, the more recent the tax sale (as 1935 sale of 1934 taxes) the greater will be the opportunity, within the limitations of time just specified, for a tract to be involved in redelinquency. This accounts for the downward trend from 1930 to 1934 in the ratio of area involved in "original delinquency" for each year to total area "sold" for the taxes of that year. For example, only 5,802 acres (30 percent) of the 19,078 acres "sold" in 1935 (for the 1934 taxes) were delinquent for the first time in 1934, while the remaining 13,276 acres (70 percent) had been previously delinquent for at least 1 year during the 5-year period. On the other hand, as stated above, all the 30,008 acres sold in 1931 (for 1930 taxes) were delinquent for the first time in 1930 (so far as the survey determined). Of the total area eligible for resale, 23 percent (25,458 acres) had been involved in redelinquency during this period. The total assessed value of this area (last column total, table 12, minus last column total, table 13) is $176,228, or 18 percent of the total assessed value of all properties eligible for resale, indicating that it is the properties of lower value that are involved in redelinquency.

Oddly enough, however, comparison of the data in tables 12 and 13 shows that the civil townships with the greatest degree of redelinquency are, in descending ratio of redelinquent area to total area eligible for resale, Nabisco, Knowles, Benton, and Floris. With the exception of Benton, these townships are among those with the smallest total area eligible for resale. A definite reason for this somewhat paradoxical situation cannot be given on the basis of data and knowledge available to the writer, but the explanation may be that the properties that are eligible for resale in these three townships are those which are so badly involved in tax default, or are so poor in productivity and usefulness, that they are beyond restoration to tax-paying status by private means, whereas the remainder (the majority) of the properties in the same townships are, in general, supermarginal.

Table 13.- Area and assessed value of land eligible for resale that was involved in delinquency for the first time in year indicated, Beaver County, Oklahoma[1]

Civil townships	Year of original delinquency [2]										Total	
	1934		1933		1932		1931		1930			
	Area	Value[3]	Area	Value[3]	Area	Value[3]	Area	Value[3]	Area	Value[3]	Area	Value[4]
	Acres	Dollars	Acres	Dollars	Acres	Dollars	Acres	Dollars	Acres	Dollars	Acres	Dollars
Grand Valley	160	1,000	160	926	960	6,636	1,640	15,865	1,440	13,665	4,360	38,092
Nabisco	0	0	80	691	448	5,260	1,360	17,165	1,102	15,160	2,990	38,276
Balko	720	5,055	320	2,073	2,360	24,868	1,440	18,180	2,281	31,340	7,121	81,516
Kokomo	640	3,775	1,640	9,489	3,761	31,256	3,478	30,875	2,240	20,120	11,759	95,515
Floris	160	1,160	80	448	1,560	16,428	2,960	38,955	960	13,120	5,720	70,111
Elmwood	880	5,040	80	450	1,240	12,096	3,155	31,080	5,877	58,720	11,232	107,386
Beaver	800	5,845	960	8,359	1,533	13,356	2,000	19,405	3,520	43,700	8,813	90,665
Logan	0	0	1,040	6,566	1,040	9,204	2,600	27,325	3,200	31,660	7,880	74,755
Benton	640	3,410	960	4,090	480	3,400	2,201	19,860	4,247	38,060	8,528	68,820
Knowles	240	1,440	320	1,417	760	7,408	880	8,890	560	7,550	2,760	26,705
Blue Grass	840	4,890	840	7,557	1,575	13,004	2,744	24,440	1,812	17,420	7,811	67,311
Gate	327	2,375	80	444	586	4,860	880	6/8,470	2,670	25,030	4,543	6/41,179
Garland	395	1,415	1,211	3,792	280	5/424	534	7/ 490	99	500	2,519	8/6,621
County	5,802	35,405	7,771	46,302	16,583	9/148,200	25,872	9/261,000	30,008	316,045	86,036	10/806,952
Ratio to total eligible for resale 11/	30		53		82		94		100		77	

1/ Data from county tax rolls and "Sale records," as of October 1938.

2/ One year prior to year of the tax sale at which each property here included was "sold" to the county for the first time since 1930. Nothing is known or implied as to delinquency history prior to 1930. All properties not included in this table had been involved in two or more tax sales held between 1931 and 1935, but the above properties had been involved in only one such sale.

3/ Value is as of year shown in same column heading in each case.

4/ Sum of assessed values, for different years shown.

5/ Value data missing on 200 acres.

6/ Value data missing on 160 acres.

7/ Value data missing on 480 acres.

8/ Value data missing on 680 acres.

9/ Value data missing on 640 acres.

10/ Value data missing on 840 acres.

11/ Ratio of "original delinquency" total of each year (table 13) to corresponding grand total of each year (table 12).

In addition to the area here recorded as eligible for resale in 1939, there are 41 tracts totalling 7,810 acres, which, while delinquent for more than $2\frac{1}{2}$ years, cannot be offered at resale, since the presently outstanding tax certificates have been cancelled in order to permit the county treasurer to advertise delinquent taxes accrued prior to, and not included in, the present certificates. These tracts were "sold" at the 1938 tax sale, and if bid in by the county, will be eligible for resale in 1941.

Tillman County

Tillman County lies in the Rolling Prairie region along the upper Red River in southwestern Oklahoma (fig. 1). The topography is level except for the sand-hills area in the southwestern part of the county, on the north bank of the Red River, and on the east bank of the North Fork. This is one of the richest agricultural counties of the State, cotton, corn, wheat, and livestock being the principal products. Recently oil and gas developments have added another source of income.

The gross area of the county is 553,600 acres, and its 1930 population was 24,390, or 28 persons per square mile. More than 96 percent of the county was in farms in 1934, and 367,907 acres were in cultivation. Less than 3 percent of the county is forest land, chiefly along Cache Creek in the southeast part of the county.

Tillman County was selected in the original plans for this study as representative of southwest Oklahoma. Analysis of delinquency conditions there, however, indicated that a detailed survey was not justified. The last resale in Tillman County was held in 1931, and the last "annual" tax sale in 1930. Since no delinquent tax certificates are outstanding, there is no land eligible for resale, and no plans are being made to hold a tax sale in the near future.

This failure to comply with the statutes is justified, to some degree, by the very small area involved in either chronic or current delinquency. Of the land bought by the county at the 1931 resale, only about 175 acres remain in county ownership. This area is in small, scattered tracts, none of more than 40 acres, and much of it is lying in the bed of the River or in the adjacent sand hills. Land which is currently delinquent (i.e., for 1936 or 1937 taxes) does not total more than 1,200 acres in the county, while that which is delinquent for more than $2\frac{1}{2}$ years (i.e., beyong the redemption period) is less than 600 acres. Hence tax delinquency in Tillman County is practically non-existent. The reason for this rather unusual condition is undoubtedly the high productive capacity of the soils, the well-developed local markets, and the relatively low taxes.

Jackson County

Jackson County lies northwest of Tillman County (fig. 1) and was selected as a typical southwestern Oklahoma County to replace Tillman when the latter was found not to warrant a detailed survey.

The topography is very flat except for a few isolated granite buttes in the extreme northeast part of the county, low sand hills along the Red River, and the shallow valley of Salt Fork. Cotton, corn, wheat, sorghums, and livestock are the principal products. Oil and gas are also being developed

in several parts of the county. Altus, the county seat, and the metropolis of southwest Oklahoma, is a railroad and trade center, with a 1938 population of more than 9,000.

The gross area of the county is 497,920 acres, and its 1930 population was 28,910, or 37 persons per square mile. In 1934, nearly 95 percent of the county was in farms, and 337,764 acres were in cultivation.21/ Less than 1 percent of the county is forest land.

The tax base of Jackson County, like that noted in Beaver County, showed a sharp decline during the early years of the depression, which was emphasized further by the arbitrary reduction ordered by the State in 1932, but it has been relatively stable since that date (table 14). The decline in total assessed value from 1929 to 1938 was $7,262,831, or 42 percent; but the decline from 1933 to 1938 was only $666,602, or 6 percent. While personalty declined from 12 percent of the tax base in 1929 to about 5 percent from 1935 to date, and while corporation property increased from 15 percent in 1929 to 20 percent in the last 5 years, real estate has consistently formed 73 to 76 percent of the total base during the entire decade. Whether such remarkable uniformity of ratio, or such stability of the assessed values of property, is in accord with actual conditions over this period is not for this report to discuss. It is quite possible that in this county, as in some others, assessed values are a better index of revenue needs than of the actual "market" value of the property assessed.

Table 14.- Changes in assessed values, 1929 - 1938, Jackson County, Oklahoma1/

Year	Real estate		Personalty		Corporation		Total
	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount
	Dollars		Dollars		Dollars		Dollars
1929	12,641,795	73	2,057,699	12	2,713,760	15	17,413,254
1930	12,747,950	73	1,934,320	11	2,815,476	16	17,497,746
1931	11,637,224	74	1,137,911	7	3,028,344	19	15,803,479
1932	9,288,801	74	740,640	7	2,492,971	19	12,522,412
1933	8,075,970	75	562,390	5	2,178,665	20	10,817,025
1934	8,078,151	74	592,514	5	2,208,338	21	10,879,003
1935	7,787,631	75	570,640	5	2,083,450	20	10,441,721
1936	7,797,015	75	614,728	6	2,044,200	19	10,455,943
1937	7,685,675	75	511,744	5	2,025,661	20	10,223,080
1938	7,685,089	76	547,490	5	1,917,844	19	10,150,423

1/ Data from county assessment rolls.

In Jackson County, unlike the counties heretofore discussed in this report, the system is followed of "selling" at each tax sale each tract delinquent for the taxes of the preceding year, even though the same tract already

21/ U. S. Bureau of the Census. Census of Agriculture: 1935. Washington. 1937.

has one or more unredeemed tax certificates outstanding against it. Under this system, delinquent taxpapers can redeem any one or more of the outstanding certificates at any time. The resulting confusion of tax status prevents any classification of the properties eligible for resale on the basis of the year or years for which taxes are delinquent, without setting up a very large number of such classes. This is particularly true in Jackson County, which has not held a resale since 1927 nor a valid tax sale since 1933.

Of the area acquired by Jackson County at the 1927 resale, only 86 acres remain in county title. The county holds 160 acres as a county farm; the State holds, as unleased or unsold school-lands or by foreclosure of mortgages, a total of 3,518 acres; while municipal and institutional tax-exempt properties bring the total area exempt from taxation to about 5,000 acres. This total is only 1 percent of the gross area of the county.

Because of the delinquency procedure in Jackson County, the area and valuation eligible for resale are classified in table 15 by year of tax sale and by civil townships, and in table 16 by number of annual tax certificates outstanding and by civil townships.

As of October 1938, there were 18,642 acres eligible for resale in Jackson County, an area equivalent to less than 4 percent of the gross area of the county. As is to be expected, the greater part (72 percent) of this area was derived from the last tax sale (1933), and progressively smaller amounts from each earlier sale (table 15). The cause of this condition has been discussed previously. Of more moment is the classification of the area by the number of tax certificates outstanding against it (table 16). Forty-five percent of the area and 53 percent of the value now eligible for resale are delinquent for only 1 year, that is, have only one tax certificate outstanding, and 20 percent and 17 percent of the area and value, respectively, are delinquent for only 2 years. This distribution indicates that chronic long-term delinquency in Jackson County is relatively light, since only 6,633 acres, or 1.3 percent of the county, have three or more annual certificates accrued against them. It must be remembered, however, that up to November 1938 no tax sale had been held since 1933, and that the presumption is great that most of these properties are also delinquent for the taxes of 1933 to 1937. If so, they would now have the taxes, due and accrued, together with penalties and costs, not of 1 to 6 years, but of 5 to 11. This fact, however, does not nullify the relatively small extent of even such long-term default.

Geographically, nearly 49 percent of the delinquent area lies in the three civil townships bordering on the Red River (Carmel, Eldorado, Elmer). In these townships, much of the delinquency is on tracts now in the river through flood-washing or ruined by depositions of sand and gravel. The remainder of the delinquency in the county presumably is related to locally poor soils, or to flood damage (chiefly through deposition) by the North Fork and Salt Fork of the Red River.

The assessed value as of 1938 of the 18,642 acres eligible for resale is $153,357. The current value is used because the values as of individual years of delinquency of each tract would have no significance under the delinquency procedure used in this county, for reasons previously discussed. This value is only 1.5 percent of the total tax base for 1938, and 2 percent of the total real-estate value. Hence, even if all of these properties, failing to attract private purchasers at the 1939 resale, should be bought

Table 15.- Area and assessed value[1] of land eligible for resale, as of April 1938, classified according to year of tax sale, Jackson County, Oklahoma[2]

Civil townships	1933		1932		1931		1930		1929		1928		Total	
	Area	Value	Area	Value	Area	Value	Area	Value	Area	Value	Area	Value	Area	Value
	Acres	$	Acres	$	Acres	$	Acres	$	Acres	$	Acres	$	Acres	$
Baucum	2,718	3/ 39,095	160	2,195	0	0	0	0	0	0	0	0	2,878	3/ 41,290
Carmel	1,099	3,320	200	465	640	2,445	160	455	0	0	0	0	2,099	6,685
Duke	1,348	10,425	644	5,315	80	400	0	0	160	1,460	0	0	2,232	17,600
Eldorado	3,767	26,236	578	2,095	320	3,350	320	3,205	2	30	40	180	5,027	35,096
Elmer	1,301	9,305	432	3,585	160	200	0	0	0	0	0	0	1,893	13,090
Headrick	165	500	228	2,350	0	0	160	2,360	75	500	0	0	628	5,710
Martha	945	12,495	135	975	2	215	82	851	0	0	5	190	1,170	14,726
Navajo	1,203	6,755	150	835	148	790	116	640	0	0	0	0	1,617	9,020
Olustee	658	7,930	400	1,870	0	0	40	340	0	0	0	0	1,098	10,140
County	13,204	3/ 116,061	2,927	19,685	1,350	7,400	878	7,851	237	1,990	45	370	18,642	3/ 153,357

1/ Value as of 1938.
2/ Data from county tax rolls and "Sale records." Tax sale is held 1 year subsequent to year of levy.
3/ Value data lacking on 150 acres.

Table 16.- Area and assessed value[1] of land eligible for resale, classified according to number of tax certificates outstanding in October 1938. Jackson County, Oklahoma[2]

Civil townships	6		5		4		3		2		1		Totals	
	Area	Value	Area	Value	Area	Value	Area	Value	Area	Value	Area	Value	Area	Value
	Acres	$	Acres	$	Acres	$	Acres	$	Acres	$	Acres	$	Acres	$
Baucum	0	0	0	0	98	2,325	245	3,675	617	10,565	1,918	[3] 24,725	2,878	[3] 41,290
Carmel	0	0	200	490	98	325	200	680	681	2,060	920	3,130	2,099	6,685
Duke	0	0	140	980	80	285	84	770	400	2,615	1,528	12,950	2,232	17,600
Eldorado	0	0	638	4,150	902	7,380	1,278	8,229	1,276	6,672	933	8,665	5,027	35,096
Elmer	0	0	0	0	160	1,255	435	1,600	320	2,010	978	8,225	1,893	13,090
Headrick	0	0	119	375	46	125	0	0	68	200	395	5,010	628	5,710
Martha	40	1,740	40	170	0	0	406	3,740	15	415	669	8,661	1,170	14,726
Navajo	80	60	396	2,650	176	365	212	705	108	715	645	4,525	1,617	9,020
Olustee	0	0	0	0	400	3,715	160	1,155	200	1,040	338	4,230	1,098	10,140
County	120	1,800	1,533	8,815	1,960	15,775	3,020	20,554	3,685	26,292	8,324	[3] 80,121	18,642	[3] 153,357
Percent of total	1	1	8	5	10	10	16	14	20	17	45	53	100	100

1/ Value as of 1938
2/ Data from county tax rolls and "Sale records." Number of certificates is equivalent to number of years of outstanding delinquent taxes.
3/ Data lacking on 150 acres.

by the county, the loss in taxable value thereby created would not affect seriously county or district revenues. Since the average (unweighted) county-wide tax rate for 1938 of Jackson County and its 26 school districts is 31.699 mills per dollar, the loss in tax revenue so resulting would be in the vicinity of $4,900, or a fraction of 1 percent of the total annual receipts of the county.

From all these data, it is evident that delinquency conditions in Jackson County are not serious, or, on the majority of properties, of long standing. Had tax sales been held annually and resales at least biennially, it is very probable that the area now eligible for resale would be much less than it is.

Love County

Love County lies in the Southern Cross Timbers of south-central Oklahoma, in the Red River Valley (fig. 1). The topography is level to gently rolling, except for (a) the sand-hills in the "neck" bounded by the horse-shoe bend of the Red River, and (b) the deeply cut valleys of Hickory Creek in the northeast part of the county and of Simon Creek in the central part. The county is served by a through line of the Gulf, Colorado, and Sante Fe Railroad, by U. S. Highway #77, and by county roads. The "black waxy soil" area, a prairie lying just north of the "neck," and the alluvial soils along the Red River are high-quality crop land, but the sandy soils of much of the remainder of the county are suitable only for range and forests. Cattle raising is an important activity, while the principal crops are cotton, corn, and sorghums. About 40 percent of the county is forest land, chiefly in the sand hills in the south and southwest, along the stream valleys, and along the edge of the Cainer Hills to the north. The chief species are scrub hickory and blackjack, post, and southern red oaks. Little or none of the timber is of commercial value except for fuel wood or posts.

The county, whose gross area is 328,960 acres, is one of the smaller counties of the State. In 1930 there was a population of 9,639, or 19 persons per square mile. The population living in the four incorporated towns in the county was 2,740, or 28 percent of the total. In 1934, although there were 244,449 acres (74 percent of the county) in farms, only 96,228 acres were in cultivation, while 74,150 acres were in pasture other than woodland pasture, and 67,230 acres were in farm woodlands.22/

Love County's tax base shows a sharp decline from 1928 to 1932, very similar to that in Jackson County, and a relative stability since then. The total decline from 1928 to 1938 was $2,538,600, or 31 percent, but the decline from 1932 to date was only $589,655, or 12 percent (table 17). The three elements of the tax base (real, personal, and corporation property) show remarkably uniform ratios to the total annual values throughout the decade. As in Jackson County, such uniformity in assessment may not correspond with the actual values; indeed such uniformity during the past decade is immediately suspect as "roll copying."

22/ U. S. Bureau of the Census. Census of Agriculture: 1935. Washington. 1937.

Table 17.- Changes in assessed values, 1928 - 1938, Love County, Oklahoma[1/]

Year	Real estate		Personalty		Corporation property		Total	
	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total	Amount	Percent of total
	Dollars		Dollars		Dollars		Dollars	
1928	2/	-	2/	-	2,008,806	29	6,719,956	100
1930	3,866,513	60	641,247	9	1,982,236	31	6,489,996	100
1931	3,430,146	56	558,310	10	2,090,017	34	6,078,473	100
1932	2,810,184	59	350,346	7	1,610,481	34	4,771,011	100
1933	2,704,202	61	289,637	7	1,426,558	32	4,429,397	100
1934	2,682,277	61	320,216	7	1,425,829	32	4,428,322	100
1935	2,532,084	60	352,360	8	1,345,641	32	4,230,085	100
1936	2,530,361	60	383,279	9	1,283,186	31	4,196,826	100
1937	2,532,009	59	443,823	11	1,293,233	30	4,269,065	100
1938	2,534,093	60	396,043	10	1,251,220	30	4,181,356	100

1/ Data are from county assessment rolls for all years except 1928; data for 1928 are from Report of State Auditor for fiscal year ending June 30, 1928.
2/ Separate values of real and personal property are not available. The total ($4,711,150) is 71 percent of the total of all property.

Love County follows the same delinquency procedure as does Jackson County, selling each tract delinquent for taxes for any one year at the next year's tax sale, irrespective of the number of other certificates already outstanding against it. The last resale in Love County was held in April 1931. Since that date, tax sales have been held in November 1931, 1932, 1933, and 1936, and, subsequent to this study, in 1938. Data were obtained on lands bid in by the county at each of these tax sales (except 1938), including the date of all certificates outstanding against each tract. As a result of (1) the extremely complex ownership pattern, very similar to that in Adair County (and arising from the same cause), (2) the large number of small tracts (10 acres and less), (3) incomplete and inexact assessment and tax rolls, and (4) failure on the part of county treasurers to keep any complete records of tax sales, determination of the tax status or even of the assessed value of each tract of rural land was extremely difficult and in some cases quite impossible. By allowing not only redemption of any certificate at any time, but subsequent sale and subdivision of such partially "redeemed" property, the legal tax status—indeed, the ownership—of lands so treated becomes a question for the courts to determine. The data in tables 18, 19, and 20 are the most accurate that could be obtained from the records found in Love County.

As of October 1938, there were 47,132 acres eligible for resale, which appeared of record on the 1938 assessment roll, and on which the county's tax lien covered full interest (table 18). In addition, there were 945 acres eligible for resale in full interest which were not assessed at all on the 1938 assessment roll, and which were not exempt Indian allotments or other tax-exempt properties (table 20). How many more acres, not eligible for resale, were likewise "off the roll" from this cause is not known. The total

area eligible for resale in full interest was 48,077 acres, equivalent to 15 percent of the gross area of the county. In addition, the county held tax liens covering fractional interests on a gross area of 1,106 acres, of which 270 acres were not of record on the 1938 assessment roll (tables 19 and 20) The total area involved in delinquency, therefore, is 49,183 acres. There is no land in county title from the 1931 or earlier resales.

Table 18.- Area and assessed value[1/] of land eligible for resale as of April 1938 on which county lien covers full interest, Love County, Oklahoma[2/]

Years of delinquency	Burney Township		Hickory Township		Washington Township		Total	
	Area	Value	Area	Value	Area	Value	Area	Value
	Acres	Dollars	Acres	Dollars	Acres	Dollars	Acres	Dollars
1935 only	8,886	50,620	6,036	32,862	2,345	19,233	17,267	102,715
1935;1932	661	3,456	1,221	7,667	869	5,653	2,751	16,776
1935;1932-1931	2,364	13,963	2,196	10,947	1,701	12,340	6,234	37,250
1935;1932-1931-1930	6,939	39,289	5,197	29,668	1,876	15,005	14,012	83,962
Subtotal	18,850	107,328	14,623	81,144	6,791	52,231	40,264	240,703
1932 only	410	1,832	147	870	980	5,992	1,537	8,694
1932-1931	40	206	90	416	200	1,552	330	2,174
1932-1931-1930	589	2,410	220	1,292	220	1,431	1,029	5,133
Subtotal	1,039	4,448	457	2,578	1,400	8,975	2,896	16,001
1931 only	1,516	7,936	810	3,896	799	5,238	3,125	17,070
1931-1930	20	100	65	506	20	160	105	766
Subtotal	1,536	8,036	875	4,402	819	5,398	3,230	17,836
1930 only	164	852	570	3,626	8	38	742	4,516
Total	21,589	120,664	16,525	91,750	9,018	66,642	47,132	279,056

1/ As of 1938. These properties are those appearing of record on the 1938 assessment roll. See table 20 for remainder.
2/ Data are from tax rolls; no "Sale record" is kept in Love County.

Table 19.- Area and assessed value[1] of land eligible for resale as of April 1938, on which county lien covers only fractional interest, Love County, Oklahoma[2]

Years of delinquency	Burney Township		Hickory Township		Washington Township		Total	
	Area	Value	Area	Value	Area	Value	Area	Value
	Acres	Dollars	Acres	Dollars	Acres	Dollars	Acres	Dollars
1935 only	140	280	110	220	30	30	280	530
1935;1932	-	-	50	100	--	-	50	100
1935;1932-1931	90	90	40	64	120	240	250	394
1935;1932-1931-1930	176	629	40	53	40	90	256	772
Total[3]	406	999	240	437	190	360	836	1,796

1/ As of 1938, of fractional interest only.
2/ Data from county tax rolls.
3/ Since there are no fractional interests involved in delinquency in the earlier tax sales (for 1932, 1931, and 1930 taxes), this total, from the 1936 tax sale of 1935 and earlier taxes, is also the grand total of the county.

Data are not available on the area of exempt Indian allotments in the county, but many of the original grants have been alienated to white ownership and hence are taxable; probably not over 5,000 acres are still exempt. At Lake Murray State Park in northeast Love County, the State owns about 6,000 acres.

Of the 48,077 acres eligible for resale in full interest (whether assessed or not), 23,163 acres (48 percent) have but one certificate outstanding against them, that is, they are delinquent for 1935, or 1932, or 1931, or 1930 taxes only; 3,446 acres (7 percent) have two certificates; 7,292 acres (15 percent) have three certificates; and the remainder, 14,176 acres (30 percent) have four certificates out against them (tables 18 and 20). Of the 1,106 acres on which the county lien covers only fractional interest, 36 percent have one certificate out, 5 percent have two, 36 percent have three, and 23 percent have four certificates (tables 19 and 20). It is logical that the area delinquent for only one year's taxes should be the largest, since, under the procedure followed in this county, the one year may be any of the four years in which the tax sales have been held since the last resale. Why the remainder of the area, however, should follow the peculiar distribution noted is not clear, nor can an explanation be deduced from the available data. Obviously it cannot be attributed to any economic factors related to any specific year or years, since, as indicated in tables 18 and 20, the total area having two or three certificates outstanding was delinquent for various combinations of calendar years. The failure to hold tax sales in 1934 and 1935 may have been a factor, however, since it obscures the trend in delinquency throughout the past half-decade. Had sales been held, this trend might show a more logical progression, as in other counties.

Table 20.- Area of land eligible for resale not assessed on 1938 assessment roll, Love County, Oklahoma1/

Years of delinquency	Burney Township	Hickory Township	Washington Township	Total
		Acres		
County lien covers full interest				
1935 only	110	12	35	157
1935;1932	0	0	0	0
1935;1932-1931	0	0	19	19
1935;1932-1931-1930	44	120	0	164
Subtotal	154	132	54	340
1932 only	0	0	0	0
1932-1931	0	250	0	250
1932-1931-1930	10	0	0	10
Subtotal	10	250	0	260
1931 only	0	0	130	130
1931-1930	0	10	0	10
Subtotal	0	10	130	140
1930 only	30	5	170	205
Total	194	397	354	945
County lien covers only fractional interest				
1935 only	0	0	120	120
1935;1932	0	0	0	0
1935;1932-1931	0	150	0	150
1935;1932-1931-1930	0	0	0	0
Total	0	150	120	270

1/ Data from county tax roll. These properties do not appear of record on 1938 assessment roll, and hence are escaping taxation. They are not Indian lands, according to the county plat book.

Geographically, 45 percent of the "full interest" delinquency is in Burney Township, comprising the western half of the county, 35 percent in Hickory Township, the northeast fifth, and 20 percent in Washington Township, the remaining three-tenths of the county. The smaller amount of delinquency in Washington Township is occasioned by the fact that the better soils of the "black waxy" type are located almost entirely within it. Most of the delinquency here and in Burney Township is in the sand hills along the Red River.

It is estimated that about 40 percent of the total delinquent area, or approximately 19,200 acres, is forest land. This area lies mostly in the sand hills of Washington and Burney Townships, and on the edge of the Cainer Hills along the Carter County line. Most of the delinquent forest area appears to be in non-farm ownership, since it is located in non-farming parts of the county. The fact that only 15 percent of the forest area of the county is eligible for resale is difficult to explain, in view of the generally poor quality and small size of the timber. Further analysis of causes of delinquency would be necessary to explain this condition—an analysis impossible on the basis of data now available.

One further point in respect to the future trends in the tax status and economy of Love County needs emphasis. It is estimated that if and when the large Denison Dam is built on the Red River, a few miles below (southeast of) the eastern boundary of Love County, it will impound a lake sufficient to cover nearly 35 percent of the county, including much of the better agricultural land. In view of the extent of the delinquency in the remainder of this county and the present straitened finances of the local government, it appears that this development would lead ultimately to the abolishment of Love and Marshall Counties as individual entities and to a corresponding realignment of county lines. This reorganization is more readily attainable here than in some other counties, since Love County and its school districts, operating largely on a "pay-as-you-go" policy, have a low bonded debt, none of which is in default of either principal or interest payments. The straitened finances mentioned above represent only the county's inability to provide adequate public services with its available revenue; its officers are to be commended for their restraint in not bonding the county to provide them.

Carter County

A cursory survey was made in Carter County, which is just north of Love County (fig. 1). This county lies partly in the Western Cross Timbers, partly in the Central Prairies, and partly in the Southern Cross Timbers. The Cross Timbers are rolling to hilly, while the Central Prairies are level to gently rolling. Cattle, cotton, corn, and sorghums are the principal products. About half the county is forest land.

The gross area of the county is 531,840 acres, and its 1930 population was 41,419, or 50 persons per square mile. More than half the population (21,950 persons) lived in the five incorporated towns. Ardmore, the county seat and the metropolis of south-central Oklahoma, had a population in 1930 of 15,744.

Carter County has held no resale since 1931, but held tax sales annually until 1936. It follows the "endorsement" method of handling subsequent delinquent taxes.

It is the opinion of the county treasurer that 10 to 12 percent of the gross area of the county, or 53,000 to 64,000 acres, is now eligible for resale and will be offered next April. This area compares favorably with the 15 percent of the gross area eligible for resale in Love County. No estimate was obtained of the portion of this area which is forest land, but it is believed that 40 to 50 percent of the delinquent area is forested.

SUMMARY AND ANALYSIS OF FINDINGS

This report has set forth the Oklahoma law governing the procedure in the enforcement of tax collection through sale and resale of delinquent property; has discussed the variation among counties in the interpretation of statutes and in the procedure followed, with particular reference to two contrasting systems of handling taxes that become delinquent subsequent to issuance of an original tax certificate; and has shown the extent of, and trends in, tax delinquency which has reached the point of forfeiture to county title, or which is now eligible for forfeiture, in eight counties in six of the major physiographic regions of the State.

The extent of the area now involved in chronic delinquency in each county is shown in table 21. The degree of delinquency—of land in county title or merely eligible for resale—in any one county depends on the date of the last resale in reference to the time of survey. Latimer County is the only one which has held a resale since 1931, and is the only county in which all the area involved in chronic delinquency is in county ownership. The area in county title in the other counties was derived from resales of 1931 or earlier years. The area eligible for resale (column 4) in April 1938 (or subsequently) is that on which tax certificates are outstanding and unredeemed for the taxes of 1935 (or earlier years), including the gross areas on which the county lien covers only fractional interest; while the 15,066 acres eligible for resale except for technical defect (column 5) is land which, although delinquent for at least $2\frac{1}{2}$ years, cannot be sold in 1938 or 1939 because of procedural defects in the original tax sale. The most accurate measure, therefore, of the relative amount of long-term delinquency among the counties is the "total area involved in delinquency" (column 6), and the ratio (column 7) of this total delinquent area to the gross area of the county.

On the basis just described, the Eastern Cross Timbers, as represented by Creek County, has the greatest extent of delinquency (30 percent), followed closely, however, by the upland hardwood area of northeast Oklahoma, as represented by Adair County (27 percent). Delinquency conditions in southeast Oklahoma (Kiamichi Plateau), as represented by Latimer County; in south-central Oklahoma (the Southern Cross Timbers), as represented by Love and Carter Counties; and in the High Plains, as represented by Beaver County, appear to be very similar (10 to 15 percent). Southwest Oklahoma (the Rolling Prairie), as represented by Tillman and Jackson Counties, has much less delinquency than any other region; indeed, in Tillman County, delinquency is practically non-existent.

No attempt was made to determine accurately the causes of chronic delinquency in any county, but certain indicated relations of cause and effect have been set forth in the discussion of each county. No State-wide trend toward one specific cause is observable, however, the extent of delinquency appearing to be determined largely by local conditions.

No relation, likewise, appears to exist between extent of delinquency and the two methods of handling subsequently accruing delinquent taxes (i.e., the "endorsement" versus the "annual tax sale" method). In counties which use the endorsement method, delinquency ranges from 10 to 30 percent; in the other sample counties—Tillman, Jackson, and Love—delinquency ranges from a small fraction of 1 percent to 15 percent. This lack of distinct relationship between

methodology and extent of delinquency, however, does not make State-wide uniformity of procedure in handling tax delinquency less desirable.

Table 21.- Summary of extent and status of delinquency in sample Oklahoma counties, 1938 1/

(1)	(2)	(3)	(4)	(5)	(6)	(7)
Counties	Gross area 2/	Area in county title 3/	Area eligible for resale 4/	Area eligible except for technical defect 5/	Total area 6/ involved in delinquency	Ratio of total to gross area 7/
	Acres					Percent
Latimer	470,400	63,030	0	0	63,030	13
Adair	373,760	0	100,804	0	100,804	27
Creek	616,680	6,067	168,777	7,256	182,100	30
Beaver	1,160,320	240	111,494	7,810	119,544	10
Tillman	553,600	175	0	0	175	8/
Jackson	497,920	0	18,642	0	18,642	4
Love	328,960	0	49,176	0	49,176	15
Carter	531,840	0	9/58,000	0	9/58,000	11
Total	4,533,480	69,512	506,893	15,066	591,471	13

1/ Data from county tax rolls and "Sale records."
2/ U. S. Bureau of the Census. Census of Agriculture: 1935. Washington. 1937.
3/ Acquired at resales, exclusive of land purchased and operated for governmental purposes. Includes gross area of land in which county owns only fractional interest.
4/ As of 1938 or 1939. Includes gross area of land on which county lien covers only fractional interest.
5/ Owing to technical procedural defects, this land, while otherwise eligible for resale in 1938 or 1939, cannot be sold.
6/ Sum of columns (3), (4), and (5).
7/ Column (6) divided by (2), expressed in percent.
8/ Less than 0.5 percent.
9/ Estimated.

If these eight counties constitute a representative sample of the 77 counties of Oklahoma in respect to delinquency conditions (and it is believed that they do), the data indicate that 13 percent of the gross area of the State, an area of more than 5-3/4 million acres, is involved in long-term tax delinquency. In certain parts of the State, chronic delinquency is not serious, but in others it has reached alarming proportions. In these latter areas, the situation calls for prompt remedial action, involving substantial modification of present policies and practices with respect to disposition and utilization of delinquent land. While specific remedies for specific areas will require additional local studies, the present investigation has indicated certain broad approaches and recommendations which, it is believed, will prove efficacious in the State as a whole. These will be set forth briefly.

RECOMMENDATIONS

One of the outstanding defects in the present administration of tax-collection enforcement in Oklahoma is the excessive latitude allowed the counties in the method of holding tax sales and resales. As already has been pointed out, the officials of each county do about as they please, not only as to holding or not holding tax sales and resales, but also as to the method of handling delinquent taxes at such sales. There need be no doubt as to the value of State-wide uniformity in date and method of tax sales and resales; surely such was the legislative intent of the present statutes, and it is clear that any system that permits local autonomy in such matters violates the principles of State sovereignty and of the equality of all taxpayers of the State before the law. A uniform method of handling taxes becoming delinquent on a property already covered by an outstanding tax certificate should be set forth clearly either by amending the statutes, if necessary, or by strictly enforced regulations from the State Examiner's Office, so that one system or the other is mandatory in <u>every</u> county in the State, under penalty for non-compliance. In the writer's opinion, which is shared by most county officials and by the Assistant Attorney-General, the "endorsement method" conforms more closely to the legislative intent and to sound fiscal practice.

The present statutes state that the tax sale and the resale "<u>shall</u>" be held <u>annually</u>. As has been shown, this provision is currently a dead letter. It is extremely doubtful that any county in Oklahoma has consistently complied with this statute. The chief argument used to justify non-compliance is that the costs of such sales (particularly of resales) exceeds the returns. If this be true, it may be desirable to revise the method of sale to reduce the cost. The State Government itself has abetted—indeed, compelled—non-compliance in certain years, by executive order or legislative enactment. This may have been justified during the emergencies of the depression or of natural catastrophes such as the dust storms of recent years, but, in providing a justifi cation for local non-compliance in other years, it has set a bad example. The requirement of an annual sale should hereafter be strictly enforced.

As a corollary to these first two recommendations, and as the most effective way of enforcing local compliance, it is recommended that tax title be forfeited to the State rather than to the county. Most States take title to tax-forfeited lands, compensating the county for its share of tax money when the property is sold by the State. It is recommended that the procedure now required by statute in Oklahoma be followed through resale, but that all land bought by the county at resale be deeded forthwith to the State, the county to be recompensed to such extent as may be deemed equitable, either from the sale price of the property when it is sold by the State, or from the proceeds accruing to the State from the property when it is used for public benefit. Since such lands as would go to the State under this procedure have been subject to redemption for $2\frac{1}{2}$ years subsequent to tax sale and have been offered at public resale, and since for another year the public's title is subject to suit to invalidate it on grounds of technical procedural defects, neither the original owner nor the county can claim justly that their respective rights will be jeopardized by deeding the property to the State.

To carry the process further, in order to insure the utilization of such lands in accordance with the best use to which they are suited and to protect the public interests and rights in the State's basic natural resources—soil, water, timber, minerals—it is further recommended that, immediately subsequent to vesting of tax title in the State, the land be classified as to its adaptability for public or private use by an official agency representing both State and local experts in land-use classification. Land classified as "private" should then be made available for sale to the highest bidder, the county receiving such portion of the sale price as may be deemed equitable. Land classified as "public" should be held by the State, and administered, developed, and maintained by that division of the State government given statutory jurisdiction over the particular use to which the property is to be devoted. In this case, the county would receive a portion of the gross annual proceeds derived by the State from the sale of products from, and leasing of rights on, the land.

It is obvious that a solution must be found to the problem of reimbursing the counties for the loss of their equity in tax-forfeited lands deeded to the State—a solution that will be equitable as between the individual county and the State. Possibly one method of solving this problem would be to provide for the payment by the State to the County of a flat percentage (25, 40, or 50 percent) of the sale price (if and when the property is sold by the State), or of the gross annual proceeds (if the property be held and developed by the State). Such a system, however, is open to two rather serious objections; (1) the amount of the payments under this provision might in time be out of proportion to the equity of the county as well as to the net income derived by the State; (2) determination of the amount of these payments might require rather elaborate bookkeeping where tax-forfeited lands were consolidated with interlocking tracts of purchased lands not subject to a similar provision.

A possible solution to these objections may be found in provisions (1) limiting the total amount payable to a county to the amount of its claim on account of all delinquent taxes, penalties, and costs; and (2) making the proceeds due the county determinable by any reasonable method of allocating income (on an acreage, or value, or other basis) from the different tracts of an operating unit where tax-forfeited lands were intermingled with other lands in such unit. Such details can be worked out by the interested agencies and political divisions of the State Government.

Specific provisions for inclusion in a statute to effect these general recommendations have already been submitted to interested agencies of the State Government and to the Codification Committee of the State Bar Association; they are now being drafted into a measure for consideration by the next Legislature.

Two minor recommendations, the basis for which has been previously discussed, are also made. Immediately upon "sale" of land or other real estate to the county at the first tax sale subsequent to original delinquency, the assessed value of the property should be stricken from the county assessment roll, and should not be restored thereto until the property is again subject to taxation. This will prevent the building up of purely fictitious assessed values in the county and prevent the issuing of excessive bonds and warrants based on such "watered" values.

The State School-Land Commission, if it is to continue making loans to farmers out of State school-land funds, should compensate the counties for the delinquent taxes accrued on land on which the Commission forecloses its mortgage. At present, all back taxes are forever lost to the county, unless the Commission should, by chance, resell the land to the original mortgagee—a rare occurrence. The uncertain taxable status of these lands—vacillating between tax-exempt, State and taxable, privately leased—now prevents the counties having large areas in this category from stabilizing tax revenues and frequently results, particularly in years of local economic stress, in a considerable actual loss of anticipated taxes.

These recommendations are not set forth as a panacea for all the fiscal, administrative, economic, or social ills involved in the problem of long-term tax delinquency in the eight counties covered by the present study, much less in Oklahoma. If adopted, however, they would make Oklahoma eligible for Federal grants under the Fulmer Act. They are believed to be sound from both the fiscal and economic standpoints;and they are calculated to point the way toward a solution of many of the maladjustments in land use and fiscal administration now reflected in the excessive long-term tax delinquency found in most sections of the State.